

TOWN PLANNING BOARD

**TPB Paper No. 9423
For Consideration by
the Town Planning Board
on 9.8.2013**

**DRAFT SO LO PUN OUTLINE ZONING PLAN NO. S/NE-SLP/E
FURTHER CONSIDERATION OF A NEW PLAN**

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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 Sha Tau Kok District Rural Committee (STKDRC), and other public views on the draft So Lo Pun Outline Zoning Plan (OZP) No. S/NE-SLP/D; and
- (b) seek Members' agreement that the draft So Lo Pun OZP No. S/NE-SLP/E, its Notes and Explanatory Statement (ES) (**Annexes I to III**) are suitable for exhibition under section 5 of the Town Planning Ordinance (the Ordinance) for public inspection.

2. Background

- 2.1 On 30.9.2010, the draft So Lo Pun DPA Plan No. DPA/NE-SLP/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 30.9.2013 unless an extension is obtained from the Chief Executive in Council. On 26.4.2013, the Town Planning Board (the Board) gave preliminary consideration to the draft So Lo Pun OZP No. S/NE-SLP/D (TPB Paper No. 9331) and agreed that the draft OZP was suitable for submission to the NDC and the STKDRC for consultation. An extract of the minutes of the Board's meeting held on 26.4.2013 and TPB Paper No. 9331 are at **Annexes IV and V** for Members' reference.
- 2.2 For Members' easy reference, as compared to the approved So Lo Pun DPA Plan where all the land are designated as "Unspecified Use", three major land uses have been designated on the draft OZP (No. S/NE-SLP/D), namely "Green Belt" ("GB") zone (17.15 ha and 62%), "Conservation Area" ("CA") zone (8.01 ha and 29%) and Village Type Development ("V") (2.52 ha and 9%) (**Plan 1**). Major land use proposals of the draft OZP have been highlighted in the TPB Paper No. 9331 and recapitulated below:

“CA” Zone (8.01 ha)

- (a) According to the Director of Agriculture, Fisheries and Conservation (DAFC), the wetland system in So Lo Pun including the intertidal habitats with mangrove and seagrass bed, reed pond, a natural stream identified as Ecologically Important Stream (EIS) and the freshwater marsh are of ecological importance (**Plan 2**). A relatively high diversity of fish and a number of species of conservation interest including water fern *Ceratopteris thalictroides* (水蕨), seagrass *Zostera japonica* (矮大葉藻) and a bat species *Tylonycteris robustula* (褐扁顛蝠), as well as the uncommon dragonfly *Orthetrum poecilops poecilops* (班灰蜻) and a fish species *Oryzias curvinotus* (弓背青鱗), have been recorded in the wetland complex. The So Lo Pun EIS and its adjoining freshwater marsh is one of the last remaining habitats in Hong Kong that support a healthy and natural population of *Oryzias curvinotus*. In addition, the water fern *Ceratopteris thalictroides*, which is a protected plant in China, has been recorded throughout the marsh. These important habitats for a variety of rare and uncommon flora and fauna should be protected. Hence, the “CA” zoning has been proposed to cover the wetland system in So Lo Pun so that the rich ecological and biological features in the areas can be protected and preserved. In this regard, DAFC considers that “CA” zoning for the wetland complex in So Lo Pun is appropriate.

“GB” Zone (17.15 ha)

- (b) The surrounding wooded areas, which form a continuous stretch of well-established vegetation of the natural woodlands adjoining the Plover Cove Country Park (PCCP), has been proposed to be designated as “GB” zones so as to provide a buffer between the development and conservation areas or Country Park.

“V” Zone (2.52 ha)

- (c) Given the natural environment with high conservation and landscape value coupled with its inaccessibility due to lack of vehicular access, an incremental approach for designation of “V” zone for Small House development has been adopted and about 2.52 ha of land mainly comprising the existing village settlements with its surrounding areas have been reserved for Small House development.

Local Consultation

2.3 The STKDRC and NDC were consulted on the draft OZP on 15.5.2013 and 20.5.2013 respectively and they all expressed objection to the draft OZP. The minutes of the NDC meeting is attached at **Annex VI**. The village representative (VR) of So Lo Pun village lodged objections to the draft OZP on 15.5.2013. On 28.5.2013, STKDRC submitted a counter proposal to the draft OZP (**Plans 3 and 3a**). Up to early August 2013, a total of 100 objections from the local villagers of So Lo Pun village were received and a majority of them (about 78 submissions) are in the form of standard letters. Their submissions are attached at **Annex VII**. Their general comments and specific proposals on the draft OZP are summarized below:

General Comments

Contravention of Basic Law

- (a) The villagers claimed that about 90% of the land in So Lo Pun area (the Area) are zoned as “CA” and “GB” within which about 95% and 35% is private land. This has deprived the rights of the private landowners in the name of protecting the environment, amounting to confiscating their lands and made them suffer losses. This contravened the Basic Law.
- (b) They had no objection to the zoning of “GB” and “CA” zones on Government land only but not on private land. Otherwise, compensation should be provided for their loss of land value.

Inadequate Infrastructure

- (c) The Area was not served by any road and other infrastructural and utility services such as electricity, sewerage and drainage systems, and water supply. These basic facilities should be provided to enable the local villagers to revitalize the village.
- (d) Within the “CA” zone, any local improvement work was in general not allowed and no government department was willing to undertake the improvement works.

Lack of Vision

- (e) There was a lack of vision for the future development of the Area. Planning should be “people-oriented” and some agri- and eco-tourism and recreational activities should be promoted to boost the local economy. Hence, the current three zonings (i.e. “CA”, “GB” and “V” zones) on the draft OZP seemed inadequate to cater for the villagers’ desire to revitalize the village. Instead, “Agriculture” (“AGR”), “Recreation” (“REC”) and “Government, Institution and Community” (“G/IC”) zones should also be incorporated. A balance should be struck between conservation and development right of landowners in the planning of the rural area.

New Development Area in Sha Tau Kok to Allow Expansion of the Villages

- (f) Consideration might be given to designate a new development area in Sha Tau Kok to allow expansion of the villages in exchange for the privately owned land for conservation purpose.

Insufficient Land for Small House Development in “V” zone

- (g) Only about 9% of land was designated for “V” zone which could not meet the Small House demand. The planned “V” zone, which is considered too small, would eradicate the village and this deprives the rights of the private landowners.

Specific Proposals (Plans 3 and 3a)

Rezoning the north-eastern part from “CA” and “GB” to “AGR”, “REC”, “GB”, “G/IC” and “V”

- (h) STKDRC suggested to rezone the north-eastern part of the Area to “GB”, “REC” and “AGR” for agricultural and recreational uses to promote agri- and eco-tourism, to enlarge the “V” zone at the central basin region with a total area of not less than 6 hectares (ha) for Small House developments; to rezone the ex-school site (啓明學校) and its surrounding area to “GIC” to allow conversion of the premises for the display of So Lo Pun’s village history. Some local villagers also suggested to rezone all private land to “V”, “AGR” or “REC” but not “CA” or “GB” (**Plan 4**).

Rezoning the south-western part from “GB” to “V” and “AGR”

- (i) While maintaining the natural stream, grave areas and mature woodland within “GB” zone, STKDRC proposed to rezone the south-western part from “GB” to “V” and “AGR”.

3.2 Comments from environmental concern groups have been received including Designing Hong Kong, World Wide Fund for Hong Kong, Conservancy Association and Kadoorie Farm and Botanic Garden. In general, they support the draft OZP as many areas of conservation importance at the Area have been covered with conservation zonings (**Annexes VIII-1 to VIII-4**). In order to better protect the high conservation and landscape value of the Area, apart from some general comments, they put forward the following specific proposals:

General Comments

Resuming Village Layout Plans Preparation

- (a) To accommodate the existing or future village development, sustainable infrastructure layout plans and guideline should be included. The failure to ensure a sustainable layout will lead to a deterioration of the infrastructure, environment, ecology and create health and social problem.

Designation as Country Park

- (b) To protect its high conservation and landscape value which complements the overall naturalness and the landscape beauty of the surrounding PCCP, it is proposed to designate the Area as Country Park.

Specific Proposals

Agricultural Use in “CA” zone

- (c) Agricultural activities could cause significant impacts on natural habitats, including vegetation clearance and habitat destruction. Hence, farming activities should be controlled in an orderly manner, especially in sites of high conservation importance. They suggested transferring “Agricultural Use” from Column 1 to Column 2 in the Notes of the “CA” zone so that the Board and the public could better monitor the activities. The Board could set approval conditions to ensure that the key areas/habitats (e.g the seagrass bed) would not be significantly affected.

Designation of Seagrass and Mangrove Community from “CA” zone to “Site of Special Scientific Interest” (“SSSI”) (Plan 2)

- (d) The seagrass bed¹ in the Area served high ecological importance as it had only been found at six locations in Hong Kong. It would be vulnerable to site formation work in attempt to fulfill so-called “agricultural use”. Hence, consideration should be given to designating seagrass and mangrove community as “SSSI”.

Upper part of a natural stream be zoned “CA” and designated as ‘EIS’

- (e) Since a tributary of a main watercourse fell within the “V” zone (**Plan 5**), construction and sewerage impacts from Small House development might affect the wetland in the downstream area. Hence, buffer zone should be set up to separate watercourses and the “V” zone.
- (f) The lower section of the main watercourse was currently covered under the “CA” zone. However, the upper section and the riparian areas, which was currently covered under the “GB” zone (in which ‘Barbecue Spot’, ‘Picnic Area’ and ‘Tent Camping Ground’ are always permitted), should also be covered by “CA” zone as some uses during construction and operation within “GB” zone might affect the stream and riparian zone significantly. Apart from the lower section of the watercourse which had already been designated as ‘EIS’, AFCD should also designate the upper section as ‘EIS’ as the upper section and its riparian area should share the same protection status with the lower section.

“V” zone

- (g) Although the proportion of “V” zone (about 9.1%) was not high, they were still concerned that such size of “V” zone would create impacts, as there was no appropriate vehicular access, nor existing/planned public sewers. Any increase in the population in the future would increase the sewage volume and the level of human disturbance. Hence, a holistic view should be applied in the planning of this enclave and the size of the “V” zone should not be further enlarged in view of the prevalent constraints in the Area. Instead, the size of the

¹ Based on AFCD’s record, seagrass was recorded in the “mangrove pond” but not in the “reed pond” in the Area (**Plan 2**).

“V” zone should be reduced, noting that there was no population in the Area.

Transferring ‘Barbecue Spot’ from Column 1 to Column 2 of “GB” Zone

- (h) ‘Barbecue Spot’ was an always permitted use in the “GB” zone and such an arrangement might increase the hill fire risk of the area as the Area was covered with and surrounded by dense vegetation.

4. Planning Department’s Responses

- 4.1 The above comments made by the NDC, the STKDRC, the local villagers, environmental concern groups and other public views have been circulated for departmental comments. In response to the specific proposals and in consultation with departments concerned, the Planning Department (PlanD)’s responses on the general comments and specific proposals raised by the aforementioned groups are as follows:

General Comments

Contravention of Basic Law

- (a) On the point of deprivation of private right and contravention of the Basic Law, Department of Justice (DoJ) advises that the draft OZP would not have this effect since it would not involve any expropriation or transfer of ownership of the land concerned, nor would the draft OZP leave the land without any meaningful use or any economically viable use. Also, as long as any asserted rights and interests of the Indigenous inhabitants have already been qualified by the Ordinance (Cap 131) by the time the Basic Law came into force, subjecting them to the planning controls that may be imposed pursuant to the Ordinance by way of the draft OZP would not be inconsistent with the Basic Law. Hence, DoJ is of the view that the draft OZP would not amount to “deprivation” of property as alleged.
- (b) On compensation for the loss of land value of the private land within “CA” zone, it should be noted that under the Ordinance, there is no provision for compensation due to curtailment of right by planning action.

- (c) Besides, the private land within the “GB” and “CA” zones is primarily demised for agricultural purpose under the block Government lease. Since “Agricultural Use” is always permitted under such zones, there is no deprivation of the rights of the landowners.

Inadequate Infrastructure

- (d) According to the 2011 Census, there is no existing population in the Area and hence there is no demand for provision of infrastructure. At present, there is no plan for any sewerage or drainage system in the Area. The “V” zone in the draft OZP will accommodate a total planned population of around 1,000 persons. Relevant works departments would keep in view the need for infrastructure in future subject to resources availability. In this regard, flexibility has been provided in the Notes of the draft OZP for geotechnical works, local public works and environmental improvement works co-ordinated or implemented by the government, which are generally necessary for provision, maintenance, daily operations and emergency repairs of local facilities for the benefits of the public and/or environmental improvement. With regard to vehicular access, as the Area is enclosed by the PCCP and Kat O Hoi, it is only served by water-borne transportation. Any new roads proposed to connect with existing road network would have to pass through the Country Park. The impact would have to be carefully assessed and consent of the Country and Marine Parks Authority must be obtained.

Lack of Vision

- (e) According to the Chief Town Planner/Urban Design and Landscape, PlanD, the Area has high landscape value. It is an integral part of the natural woodlands in the adjoining PCCP with a wide spectrum of natural habitats including wetland system supporting some rare/uncommon flora and fauna. The general planning intention of the Area is to protect its high conservation and landscape value which complements the overall naturalness and the landscape beauty of the surrounding PCCP. DAFC advises that the proposed “CA” and “GB” zones are considered appropriate to preserve the natural environment and its natural resources. “V” zone has been proposed to consolidate village development so as to avoid undesirable disturbances to the natural environment and facilitate an orderly development and efficient provision of necessary infrastructure.

- (f) The Area has been studied in the context of the “Study on the Enhancement of the Sha Tau Kok Rural Township and Surrounding Areas” (the STK Study)² completed in mid 2013. The STK Study has examined the possibility of enhancing the connection of Sha Tau Kok Town with other outlying areas in the North East New Territories for potential tourism development. For So Lo Pun, the STK Study recommends the provision of a mobile toilet and information boards at the entrance to the Area near the pier while a majority of the Area is proposed to be preserved to protect its natural environment. No major development proposals have been recommended under the STK Study.

New Development Area in Sha Tau Kok to Allow Expansion of the Villages

- (g) The Environment Bureau, from the nature conservation policy angle and in particular under the New Nature Conservation Policy, is of the view that whether the Government should resume privately owned land to achieve the nature conservation purpose would need to depend on whether that is for a public purpose, and each case needs to be decided on its own merits. There is no policy to compensate lot owners whose land are zoned for nature conservation purpose. Besides, Sha Tau Kok has not been identified as a new development area under the strategic studies. In any event, formulation of land policy is outside the purview of the Board.

Resuming Village Layout Plan Preparation

- (h) The preparation of new village layout plan for village will depend on a number of factors such as implementation prospect of the layout plan, manpower and priority of works within PlanD. For the subject OZP which is yet to be published, the boundary of the “V” zone might be further reviewed by the Board after taking into account all representation/comments submitted during plan exhibition period. The need for preparation of new village layout for the “V” zone to be covered by the OZP will be reviewed as appropriate in due course.

² The objective of the STK Study is to formulate an Integrated Area Improvement Plan, with a view to enhancing the physical environment of Sha Tau Kok Town and its surrounding areas. The Study has also assessed the tourism potential of the Town, taking into account its Frontier Closed Area status, and examine the possibility of enhancing its connection with other tourist attractions in the North East New Territories.

Country Park Designation

- (i) It should be noted that the designation of the Area as Country Park is under the jurisdiction of the Country and Marine Parks Authority governed by the Country Parks Ordinance (Cap. 208) which is outside the purview of the Board. According to the DAFC, the suitability of the So Lo Pun enclave for country park designation would be assessed in due course by drawing reference to criteria such as conservation value, landscape and aesthetic value, recreation potential, and existing scale of human settlement. Views of the Country and Marine Parks Board will also be sought in the process.

Extension of “V” Zone

- (j) So Lo Pun is the only recognized village in the Area and is mainly concentrated on the lower hillslopes in the north part of the Area. Its ‘VE’ covers an area of about 8.58 ha and is mainly at the central part of the Area³ (**Plan 2**). DLO/N has advised that the 10-year forecast for Small House demand for the Area is 270 and there is no outstanding nor approved Small House application. The total land required is about 6.75 ha.
- (k) In the course of OZP preparation, the long stretch of level land at the central part of the valley, particularly areas surrounding the existing village clusters, has been investigated to ascertain if more land, which is of relatively lower landscape and conservation value, could be designated for village development. Two areas have been proposed for village expansion, one at the north-eastern part (0.65 ha) which is contiguous to the existing village cluster and currently consists of fallow agricultural land with shrubs and trees (**Plans 6 and 7**), and one at the south-western part (0.99 ha), which mainly comprises dry and fallow agricultural land and its adjoining gentle slope (**Plans 8 and 9**). Since the proposed “V” zone expansion at the south-western part is in close proximity to a natural stream, AFCD advises that the stream is hydrologically and ecologically connected to the lower course of the stream (i.e. the EIS) which supports a healthy population of *Oryzias curvinotus* (弓背青鱗), a species of conservation importance. Considering the existing site condition which is largely natural and surrounded by vegetated areas and the ecological connectivity of the stream

³ The ‘VE’ comprises not only existing village clusters and ruin structures of So Lo Pun Village, but also some hilly slopes in the north with some fallow agricultural land and fresh water marshes at the centre and a stream course in the south (**Plan 2**).

courses, it would be undesirable to allow village developments immediately adjacent to the stream. Hence, the southern boundary of that proposed “V” zone extension is kept away from the natural stream by about 20m.

- (l) As a result, the proposed “V” zone is about 4.12 ha, within which about 3.36 ha of land could be available for Small House development (or equivalent to about 134 Small House sites). A summary of Small House demand and supply for So Lo Pun Village is as follows:

Small House Demand Figure in 2012		‘VE’ Area (ha)	“V” zone on draft OZP (ha)	Required land to meet new demand (ha) for 270 numbers	Available Land to meet new demand figure (ha)	Percentage of the new demand met by available land
Outstanding Demand	10-year forecast (2011 – 2020)					
-	270	8.58	4.12	6.75	3.36	50%

- (m) Although the supply of land within “V” zone is still insufficient to meet the future demand, an incremental approach for designation of “V” zone for Small House development has been adopted, given the development constraints of the area, the current population in the village and inadequate infrastructural provision. There is provision under the OZP for planning application for Small House development in “GB” zone which would be considered by Board on individual merit.

Rezoning the north-eastern part from “CA” and “GB” to “AGR”, “GB”, and “REC” (Plans 3 and 3a)

- (n) There are suggestions to incorporate “AGR” and “REC” zones so as to revitalize the village and specific proposals to rezone areas for agricultural and recreational uses to promote agri- and eco-tourism. AFCD advises that part of the long stretch of level land comprising the wetland complex should be retained for conservation purpose and AFCD considers that “CA” zoning for the wetland complex in So Lo Pun is appropriate. AFCD advises that designation of the adjoining natural woodland, and dense vegetated hillslopes which form a continuous stretch of well-established vegetation of the natural woodlands in the adjoining PCCP as “GB” is appropriate. The remaining area with relatively low landscape and conservation interests, they have already been designated for “V” zone to cater for Small House development. In view of the above, there is limited opportunity for designating other suitable land for “AGR” and “REC” zonings on the draft OZP.

- (o) Besides, there is also no concrete recreation proposals submitted by any interested parties so far. Notwithstanding the above, agricultural use is a Column 1 uses in all zones, and could be undertaken in accordance with the Notes of the draft OZP. Other recreational uses, such as ‘Holiday Camp’ and ‘Field Study/Education/Visitor Centre’, are also permitted in “GB” zone upon application to the Board.

Rezoning from “CA” and “GB” to “G/IC” Zone (Plans 3 and 3a)

- (p) Regarding STKDRC’s proposal to rezone an ex-school site and its surrounding area from “CA” and “GB” to “G/IC” zone for village office and visitor centre displaying the history of the village and provision of other supporting facilities such as refuse collection point (RCP), toilet, helipad and signboard, according to DLO/N and DO/N, the ex-school site was originally held under two pieces of privately-owned land but they were surrendered to Government in 1958 for building the school. Presently, the ex-school site is partially vacant and partially occupied by a ruined structure constructed before the gazette of the DPA Plan in 2009. As the total planned population of the Area will be about 1,000 persons, only small-scale and local facilities commensurate to the general need of the area will be provided as and when appropriate. During the course of the STK Study, the potential for tourism development in So Lo Pun has been examined and apart from the provision of a mobile toilet and information boards at the entrance to the Area, there are no major development proposals. So far, no concrete proposal has been submitted by any interested parties. Moreover, “Village Office” is always permitted in the “V” zone while visitor centre, RCP and helipad are Column 2 uses under the “GB” zone, which may be permitted by the Board on individual merits.

Agricultural Use in “CA” zone

- (q) Regarding the environmental concern groups’ concern on potential adverse impacts of agricultural activities on the natural habitats in “CA” zone, and proposing to transfer “Agricultural Use” from Column 1 to Column 2 in the Notes of the “CA” zone, AFCD advises that, from the perspective of agriculture, the proposed change is not supported as agricultural activities and nature conservation could be effectively integrated. Moreover, DAFC advises that permission from the Board is required for any works relating to diversion of streams, filling of land/pond or excavation of land which may cause adverse impacts on the natural environment. Taking into account the above

factors, there is no strong justification for imposing more stringent control on Column 1 uses in the "CA" zone concerned.

Designation of Seagrass and Mangrove Community from "CA" to "SSSI"

- (r) According to AFCD, the proposal of protecting the seagrass and mangrove by conservation zonings is supported. However, it is considered that there is currently insufficient justification to designate the area concerned as "SSSI" and the proposed "CA" zoning is appropriate.

Upper part of the natural stream be zoned as "CA" and designated as 'EIS'/Transferring 'Barbecue Spot' from Column 1 to Column 2 of "GB" Zone

- (s) Regarding the environmental concern groups' proposal to set up a buffer zone for a tributary which is currently within the "V" zone (**Plan 4**), it should be noted that the concerned stream is not identified as an EIS and there are existing mechanisms to ensure that any adverse impacts on natural streams would be properly addressed. 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 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 streams, should consult concerned departments. This has been clearly stated in the ES of the "V" zone.
- (t) The environmental concern groups suggested to designate the upper part of the natural stream to 'EIS' and rezone that part of area from "GB" to "CA" zone to protect the stream since some Column 1 uses of "GB" zone including 'Barbecue Spot', 'Picnic Area' and 'Tent Camping Ground' might have impact on the stream in particular during construction and operation stages. According to AFCD, a natural stream flows across the Area in the south-west to north-east direction, only the downstream part of which is identified by the AFCD as an 'EIS' due to the presence of a healthy and natural population of *Oryzias curvinotu* and this part of the stream forms part of the wetland complex in the Area which has been proposed for "CA" zone. As DAFC advises that the upper parts of the stream is yet to be justified as 'EIS' which requires further investigation, it is not appropriate to designate the upper part of the natural stream as "CA" zone.

- (u) Noting that 'Barbecue Spot' and 'Picnic Area' are facilities operated by the Government and exclude sites that are privately owned and/or commercially operated and 'Tent Camping Ground' refers to any place open to the public where tents are put only for temporary lodging for recreational or training purpose, DAFC advises that adverse impacts from such uses onto the subject "GB" zone should not be significant and he has no strong views on keeping these uses in Column 1 of the subject "GB" zone.

4.2 In summary, apart from the proposed amendments to the boundaries of the "V" zones as shown on **Plans 6** and **8**, other land use zonings on the draft OZP (**renumbered as No. S/NE-SLP/E**) are considered appropriate.

5. Land Use Zonings (Annex I)

Having regard to the above, the proposed land use zonings of the draft So Lo Pun OZP No. S/NE-SLP/E are as follows:

"Village Type Development": Total Area 4.12 ha

- 5.1 About 4.12 ha of land are zoned "V" to cover the So Lo Pun existing village cluster and its village expansion areas at the south-western and north-eastern parts of the Area. The boundaries of the "V" zone are drawn up having regard to the village 'environs', the number of outstanding Small House applications, Small House demand forecast, local topography and site constraints. Areas of difficult terrain, dense vegetation, stream courses and burial grounds have been avoided as far as possible.
- 5.2 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. In order to provide opportunities for short-term accommodation in existing New Territories Exempted House (NTEH), "Hotel (Holiday House only)" may also be permitted on application to the Board.

"Green Belt": Total Area 15.51 ha

- 5.3 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 15.51 ha of land are zoned "GB".

- 5.4 These “GB” zones are generally covered by natural vegetation, woodland, hillside shrubland and grassland, and small natural streams which form a continuous stretch of well-established vegetation of the natural woodlands in the adjoining PCCP and provide a buffer between the development and conservation areas or Country Park area.
- 5.5 There is a traditional burial ground at the eastern part of the hillslopes within this zone. It has been in existence for many years, which are considered as an existing use and intended for burial places of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities within this zone are generally tolerated.

“Conservation Area”: Total Area (8.05 ha)

- 5.6 A total of about 8.05ha of land are zoned “CA” to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development.
- 5.7 The “CA” zoning covers the wetland system in So Lo Pun including the intertidal habitats with mangrove and seagrass bed, reed pond, a natural stream identified as EIS and the freshwater marsh which are of ecological importance. A relatively high diversity of fish and a number of species of conservation interest including water fern *Ceratopteris thalictroides* (水蕨), seagrass *Zostera japonica* (矮大葉藻) and a bat species *Tylonycteris robustula* (褐扁顛蝠), as well as the uncommon dragonfly *Orthetrum poecilops poecilops* (班灰蜻) and a fish species *Oryzias curvinotus* (弓背青鱗) have been recorded in the wetland complex. According to the available information, the So Lo Pun EIS and its adjoining freshwater marsh is one of the remaining habitats in Hong Kong that support a healthy and natural population of *Oryzias curvinotus* (弓背青鱗). In addition, the water fern *Ceratopteris thalictroides* (水蕨), which is a protected plant in China, has been recorded throughout the marsh. It is intended that with stringent planning control imposed under this zoning, the rich ecological and biological features in the areas can be protected and preserved.

5.8 A table comparing the land use budget of the Area covered by the draft So Lo Pun No. No. S/NE-SLP/E and the previously draft So Lo Pun No. S/NE-SLP/D is shown below:

Zoning	Draft So Lo Pun OZP No. S/NE-SLP/D (ha / %)		Draft So Lo Pun OZP No. S/NE-SLP/E (ha / %)		Increase / Decrease (ha / %)	
Village Type Development	2.52	9.1%	4.12	14.89%	+1.6	+ 63.49%
Green Belt	17.15	61.96%	15.51	56.03%	-1.64	-9.56%
Conservation Area	8.01	28.94%	8.05 (*)	29.08%	+0.04	+0.49%
Total Planning Area	27.68	100.00	27.68	100.00	No change	No change

(*) Minor boundary adjustments to finetune the boundaries of “CA” zonings, taking AFCD’s latest comments into account.

6. Consultation

The NDC and the STKDRC will be consulted after the Board’s agreement to the publication of the draft So Lo Pun 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 STKDRC.

7. Decision Sought

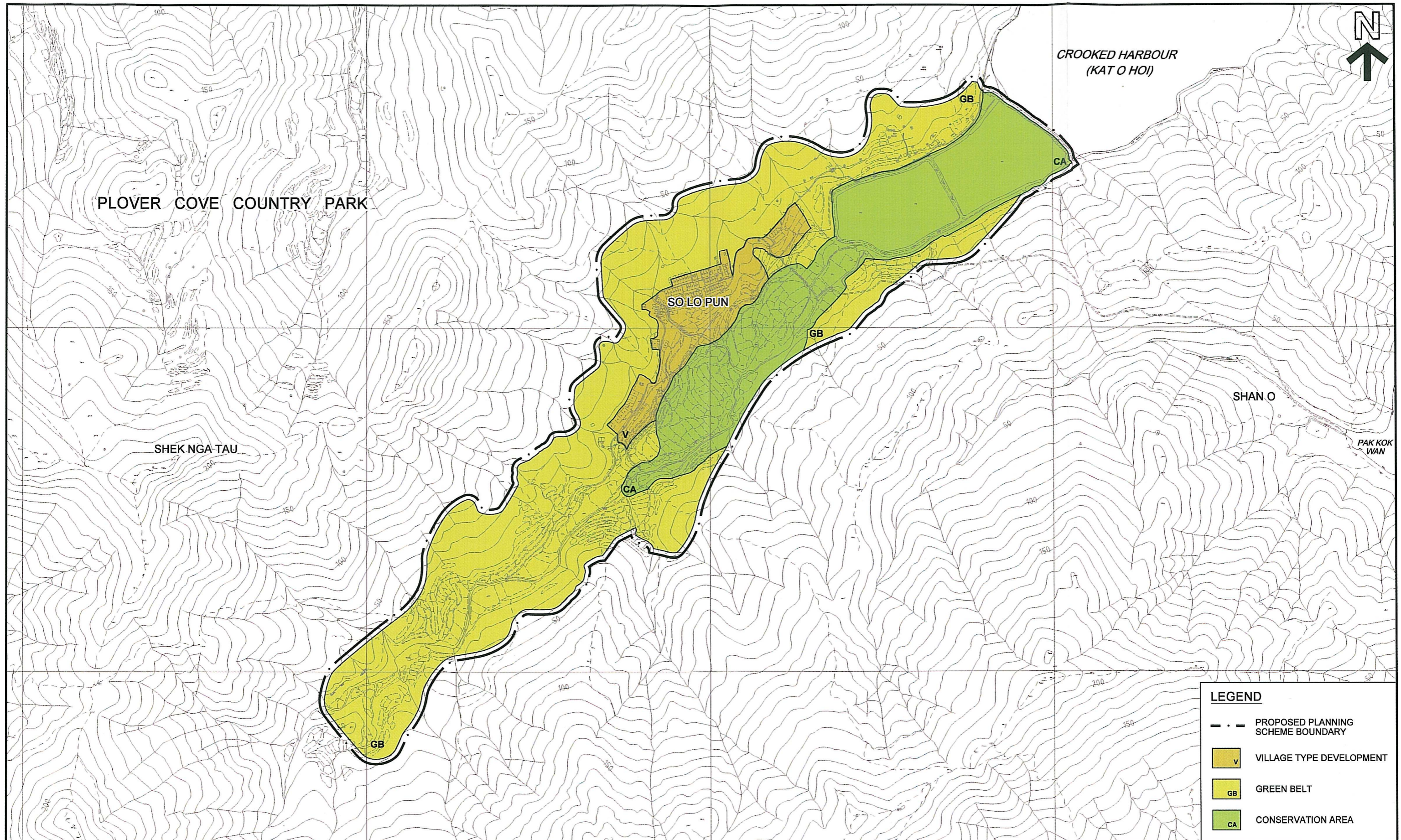
Members are invited to:

- (a) note the comments from and responses to the NDC, the STKDRC, the local villagers and the environmental concern groups on the draft So Lo Pun OZP No. S/NE-SLP/D;
- (b) agree that the draft So Lo Pun OZP (to be renumbered as S/NE-SLP/1 upon gazetting) and its Notes (**Annexes I and II**) are suitable for exhibition for public inspection under section 5 of the Ordinance;
- (c) adopt the Explanatory Statement (**Annex III**) as an expression of the planning intentions and objectives of the Board for various land use zonings of the draft So Lo Pun OZP No. S/NE-SLP/E; 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.

8. Attachments

Plan 1	Draft So Lo Pun OZP No. S/NE-SLP/D
Plan 2	Village ‘Environs’ and Existing Physical Features
Plan 3	Comparison between the Proposal from STKDRC and the Draft So Lo Pun OZP No.S/NE-SLP/D
Plan 3a	Proposal from Sha Tau Kok District Rural Committee (STKDRC)
Plan 4	Land Ownership and Village ‘Environs’ in So Lo Pun
Plan 5	A Tributary of Natural Stream in So Lo Pun Village
Plan 6	Proposed Rezoning Site at the North-eastern Part of So Lo Pun
Plan 7	Aerial Photo - Proposed Rezoning Site at the North-eastern Part of So Lo Pun
Plan 8	Proposed Rezoning Site at the South-western Part of So Lo Pun
Plan 9	Aerial Photo - Proposed Rezoning Site at the South-western Part of So Lo Pun
Annex I	Draft So Lo Pun OZP No. S/NE-SLP/E
Annex II	Notes of the Draft So Lo Pun OZP No. S/NE-SLP/E
Annex III	Explanatory Statement of the Draft So Lo Pun OZP No. S/NE-SLP/E
Annex IV	Extract of Minutes of the Town Planning Board Meeting held on 26.4.2013
Annex V	TPB Paper No. 9331
Annex VI	Minutes of the NDC Meeting
Annexes VII-1 to VII-22	Submissions from Rural Committees and Local Villagers
Annex VII-23	Sample standard letter from 51 villagers
Annex VII-24	Sample standard letter from 27 villagers
Annexes VIII-1 to VIII-4	Submissions from Environment Concern Groups

PLANNING DEPARTMENT
AUGUST 2013



EXTRACT PLAN PREPARED ON 30.7.2013
 BASED ON SURVEY SHEETS No. 3-NE-14D, 15C/D, 19B/D AND 20A/B/C/D

SCALE 1 : 5 000

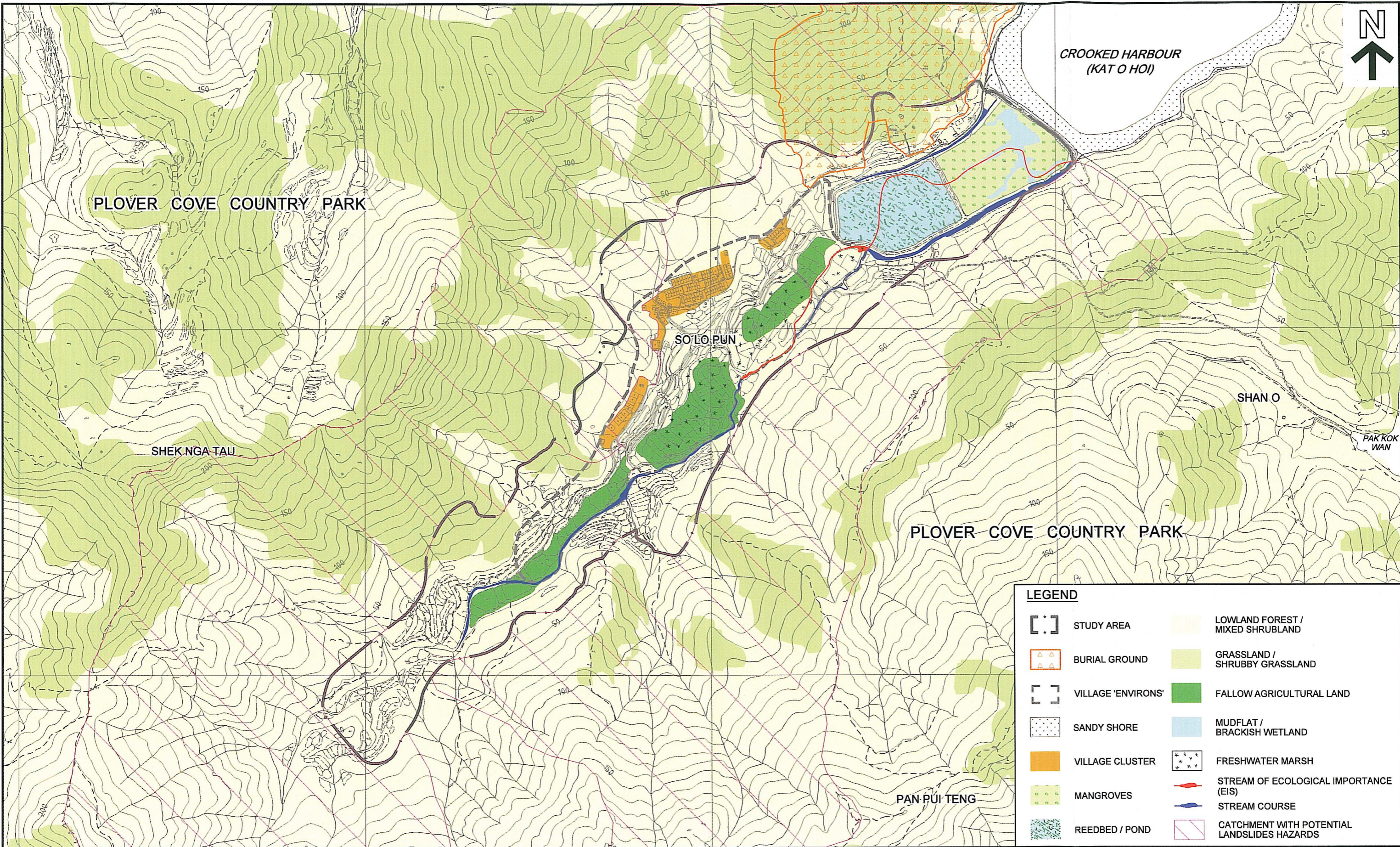
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PLANNING DEPARTMENT



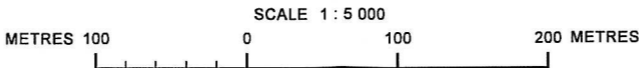
REFERENCE No.
 M/NP/SLP/13/10

PLAN
 1



VILLAGE 'ENVIRONS' AND EXISTING PHYSICAL FEATURES

SO LO PUN



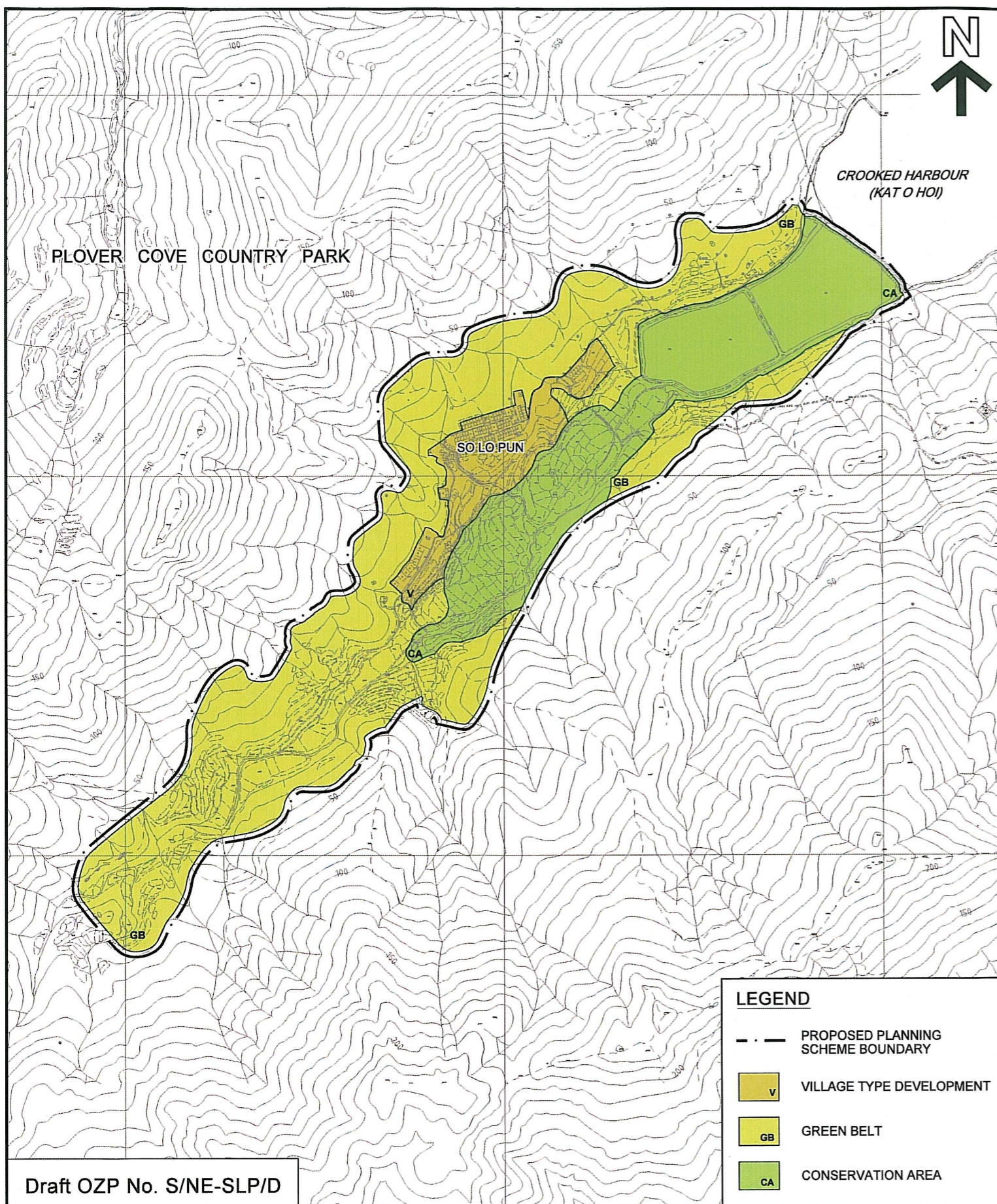
PLANNING DEPARTMENT



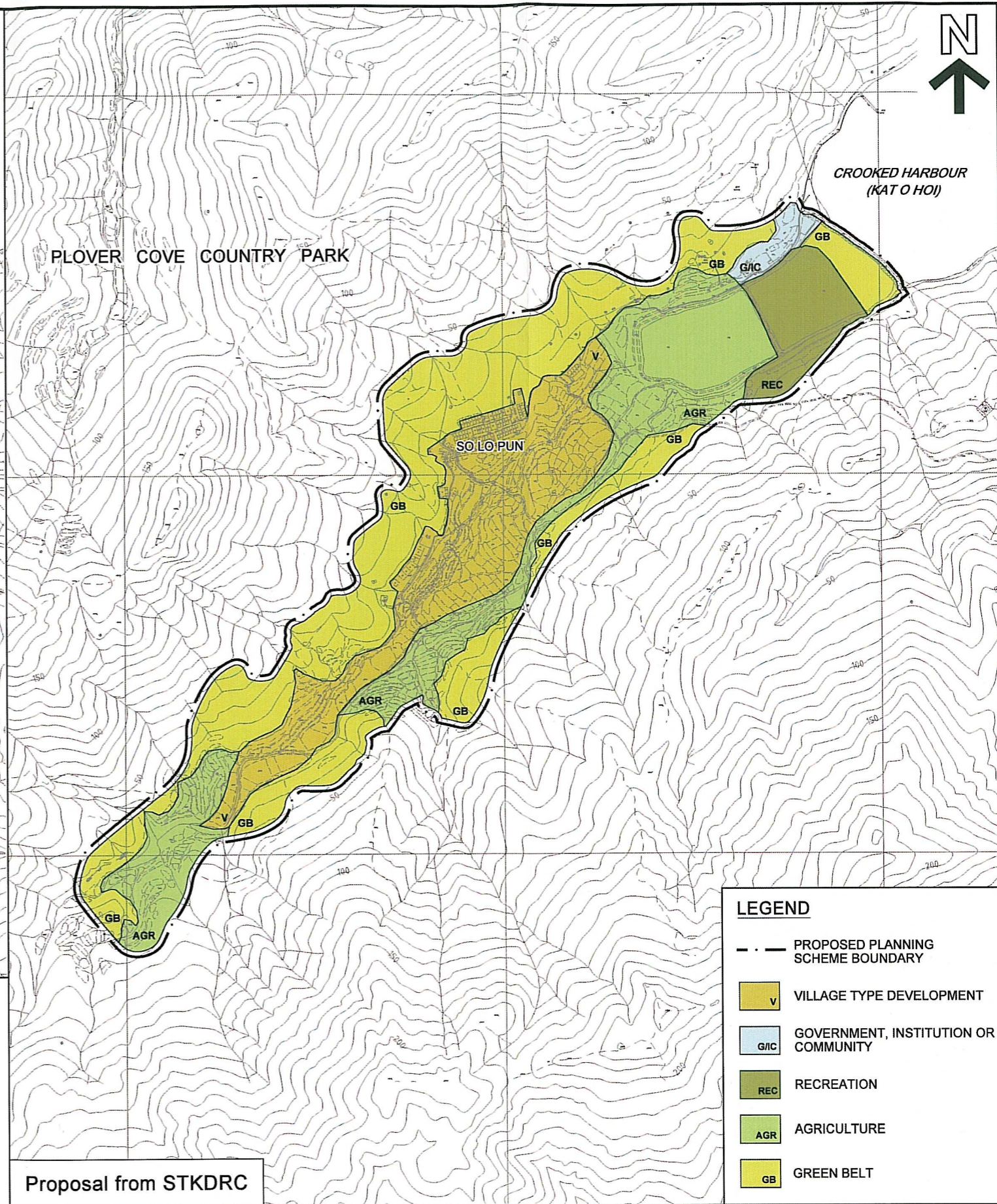
REFERENCE No.
M/NP/SLP/13/10

PLAN
2

EXTRACT PLAN PREPARED ON 30.7.2013
BASED ON SURVEY SHEETS No. 3-NE-14D, 15C/D, 19B/D AND 20A/B/C/D



- LEGEND**
- PROPOSED PLANNING SCHEME BOUNDARY
 - V VILLAGE TYPE DEVELOPMENT
 - GB GREEN BELT
 - CA CONSERVATION AREA

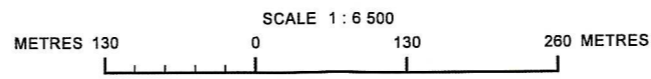


- LEGEND**
- PROPOSED PLANNING SCHEME BOUNDARY
 - V VILLAGE TYPE DEVELOPMENT
 - G/I/C GOVERNMENT, INSTITUTION OR COMMUNITY
 - REC RECREATION
 - AGR AGRICULTURE
 - GB GREEN BELT

Draft OZP No. S/NE-SLP/D

Proposal from STKDRC

PROPOSED LAND USES
COMPARISON BETWEEN THE PROPOSAL FROM STKDRC
AND THE DRAFT OZP No. S/NE-SLP/D



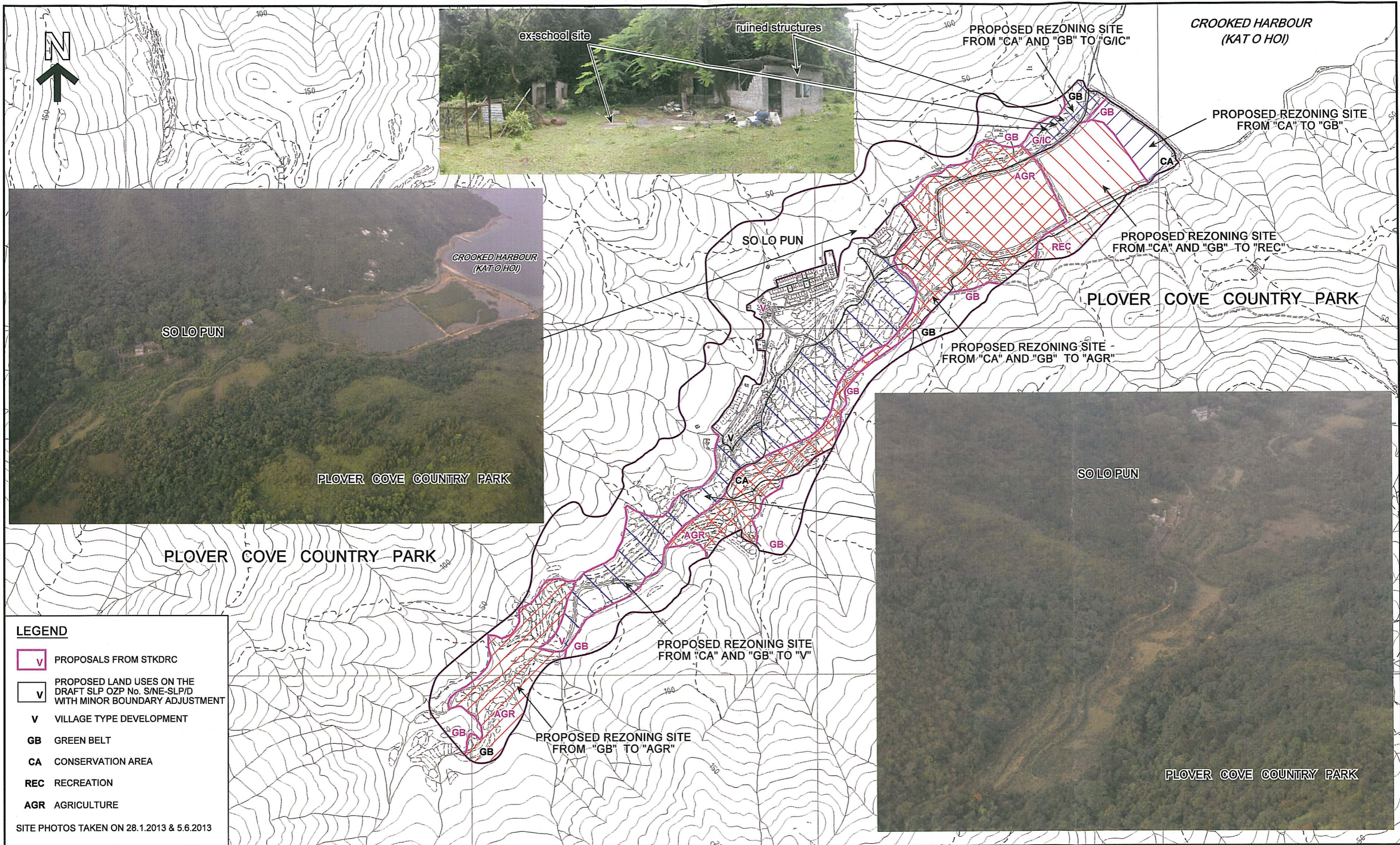
PLANNING DEPARTMENT



EXTRACT PLAN PREPARED ON 5.8.2013
 BASED ON SURVEY SHEETS No. 3-NE-14D, 15C/D, 19B/D AND 20A/B/C/D

REFERENCE No.
 M/NP/SLP/13/10

PLAN
 3



LEGEND

v PROPOSALS FROM STKDRC

v PROPOSED LAND USES ON THE DRAFT SLP OZP No. S/NE-SLP/D WITH MINOR BOUNDARY ADJUSTMENT

v VILLAGE TYPE DEVELOPMENT

GB GREEN BELT

CA CONSERVATION AREA

REC RECREATION

AGR AGRICULTURE

SITE PHOTOS TAKEN ON 28.1.2013 & 5.6.2013

LOCATION PLAN

PROPOSALS FROM SHA TAU KOK RURAL DISTRICT COMMITTEE (STKDRC)

PLANNING DEPARTMENT

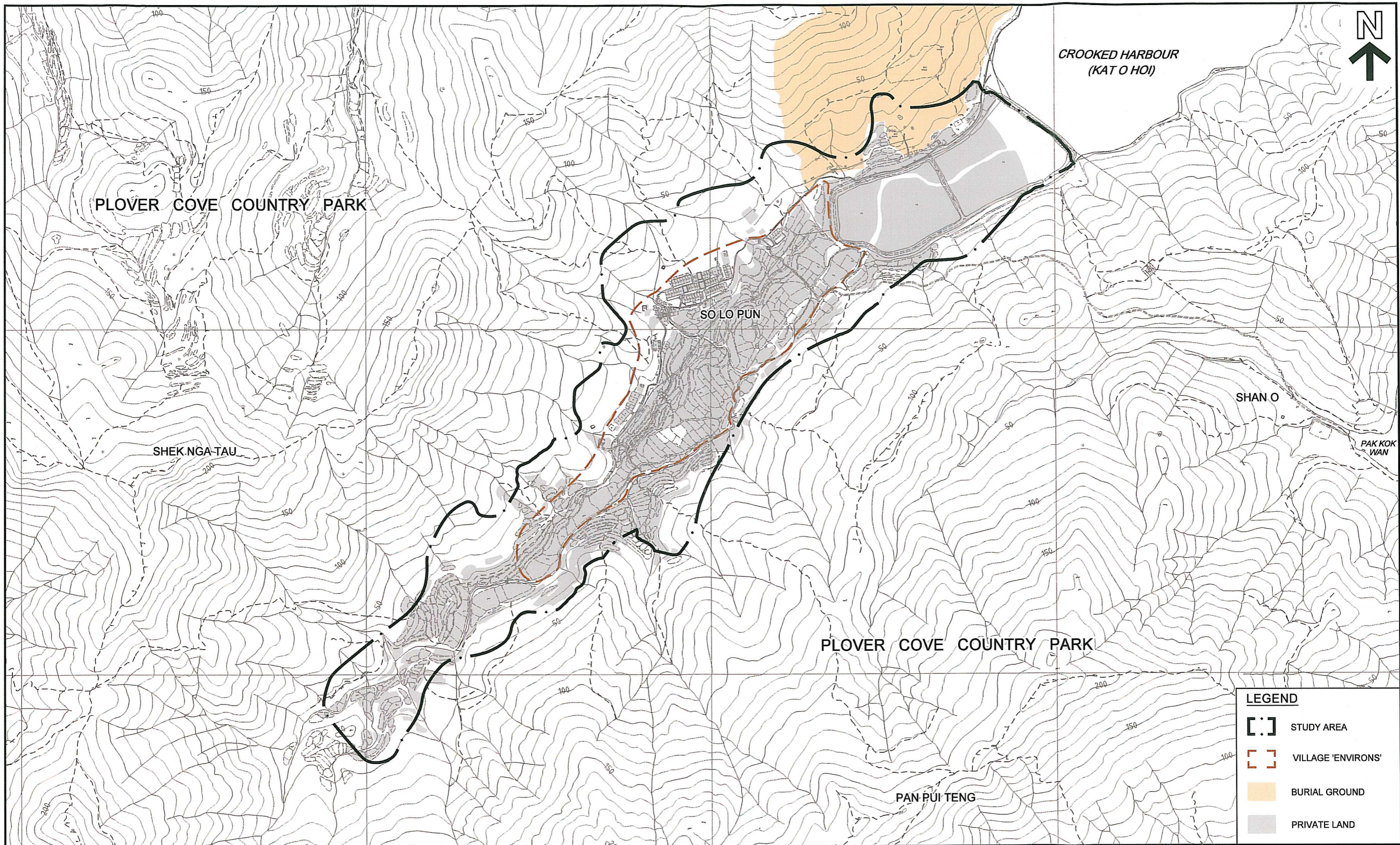


EXTRACT PLAN PREPARED ON 5.8.2013
BASED ON SURVEY SHEETS No.
3-NE-14D, 15C/D, 19B/D AND 20A/B/C/D

SCALE 1 : 5 000
METRES 100 0 100 200 METRES

REFERENCE No.
M/NP/SLP/13/10

PLAN
3a



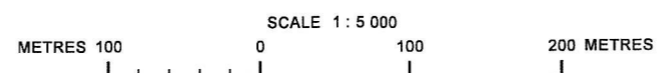
LAND OWNERSHIP AND VILLAGE 'ENVIRONS'

SO LO PUN

PLANNING DEPARTMENT



EXTRACT PLAN PREPARED ON 30.7.2013
BASED ON SURVEY SHEETS No. 3-NE-14D, 15C/D, 19B/D AND 20A/B/C/D



REFERENCE No.
M/NP/SLP/13/10

PLAN
4



LEGEND

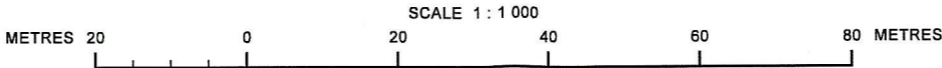
PROPOSED LAND USES ON THE DRAFT SLP OZP No. S/NE-SLP/D

STREAM COURSE

SITE PHOTOS TAKEN ON 31.10.2012

SITE PLAN

A TRIBUTARY OF NATURAL STREAM IN SO LO PUN VILLAGE



PLANNING DEPARTMENT

REFERENCE No. M/NP/SLP/13/10

PLAN 5

EXTRACT PLAN PREPARED ON 30.7.2013
BASED ON SURVEY SHEET No. 3-NE-20A



CROOKED HARBOUR
(KAT O HOI)



PLOVER COVE COUNTRY PARK

SO LO PUN

PLOVER COVE COUNTRY PARK

LEGEND

 PROPOSED REZONING SITE
FROM "GB" TO "V"

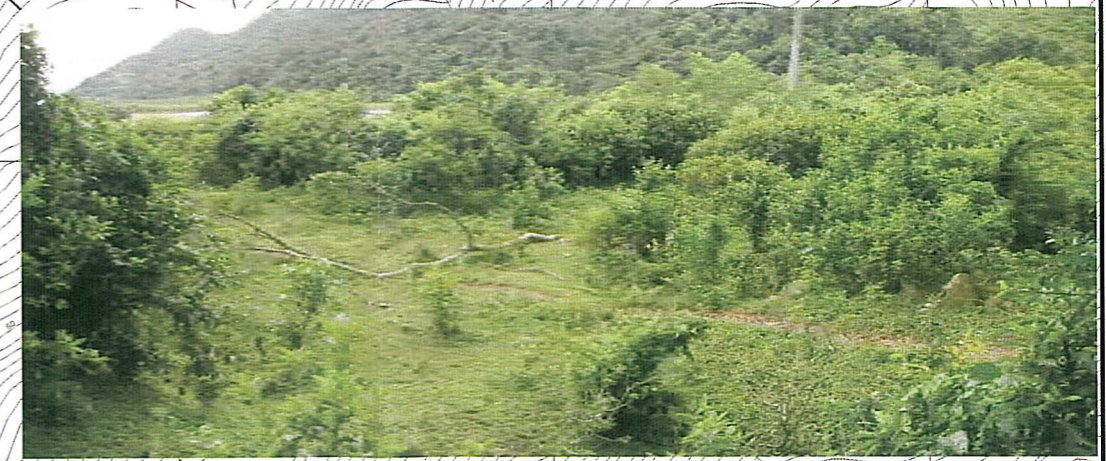
PROPOSED LAND USES ON THE
DRAFT SLP OZP No. S/NE-SLP/D
WITH MINOR BOUNDARY ADJUSTMENT

 V VILLAGE TYPE DEVELOPMENT

 GB GREEN BELT

 CA CONSERVATION AREA

SITE PHOTOS TAKEN ON 5.6.2013



SITE PLAN

PROPOSED REZONING SITE AT THE NORTH-EASTERN PART OF
SO LO PUN FROM "GB" TO "V"

SCALE 1 : 2 000
METRES 40 0 40 80 120 160 METRES

PLANNING DEPARTMENT



EXTRACT PLAN PREPARED ON 30.7.2013
BASED ON SURVEY SHEETS No.
3-NE-19B/D & 20A/C

REFERENCE No.
M/NP/SLP/13/10

PLAN
6





CROOKED HARBOUR
(KAT O HOI)

PLOVER COVE COUNTRY PARK

SOLOPUN

PLOVER COVE COUNTRY PARK

LEGEND

-  PROPOSED REZONING SITE FROM "GB" TO "V"
-  PROPOSED LAND USES ON THE DRAFT SLP OZP No. S/NE-SLP/D

AERIAL PHOTO

PROPOSED REZONING SITE AT THE NORTH-EASTERN PART OF
SO LO PUN FROM "GB" TO "V"



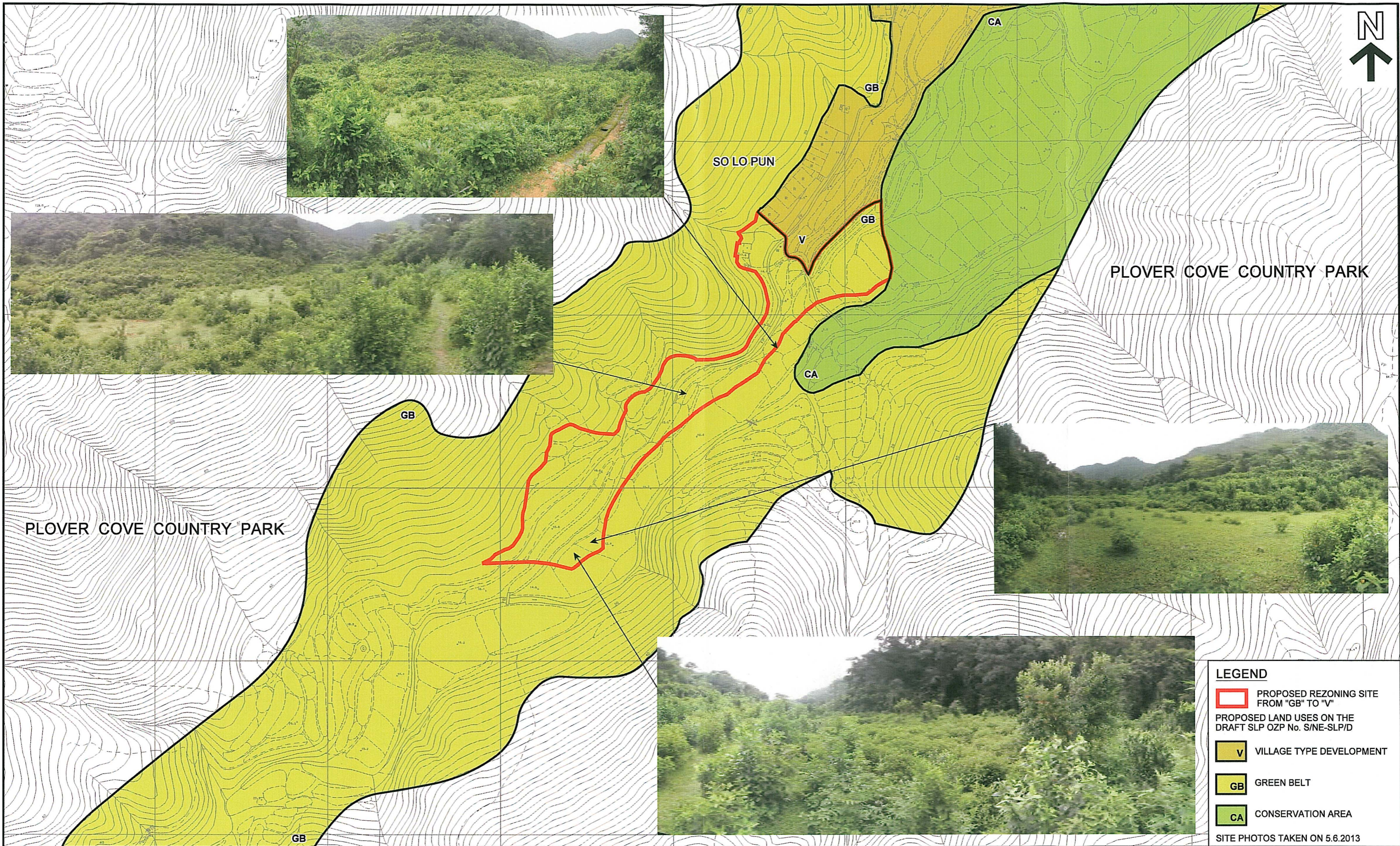
PLANNING DEPARTMENT




REFERENCE No.
M/NP/SLP/13/10

PLAN
7

EXTRACT PLAN PREPARED ON 29.7.2013
BASED ON SURVEY SHEETS No 3-NE- 20A/B
AND AERIAL PHOTO No. CS33982 TAKEN
ON 8.9.2011 BY LANDS DEPARTMENT



LEGEND

 PROPOSED REZONING SITE FROM "GB" TO "V"
 PROPOSED LAND USES ON THE DRAFT SLP OZP No. S/NE-SLP/D

-  V VILLAGE TYPE DEVELOPMENT
-  GB GREEN BELT
-  CA CONSERVATION AREA

SITE PHOTOS TAKEN ON 5.6.2013

SITE PLAN

PROPOSED REZONING SITE AT THE SOUTH-WESTERN OF
 SO LO PUN FROM "GB" TO "V"

EXTRACT PLAN PREPARED ON 7.8.2013
 BASED ON SURVEY SHEETS No.
 3-NE-19B/D & 20A/C

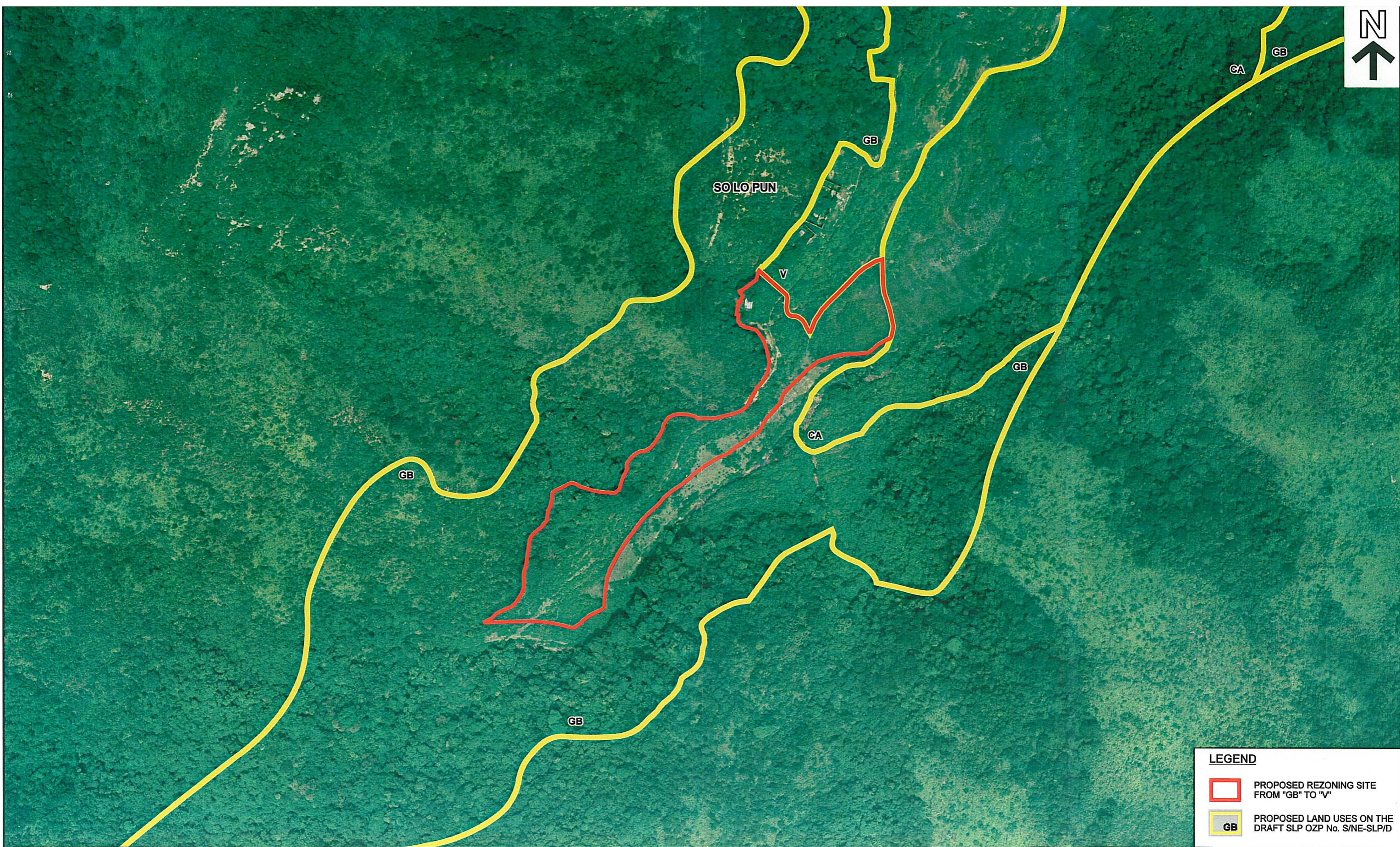
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PLANNING DEPARTMENT



REFERENCE No.
 M/NP/SLP/13/10

PLAN
 8



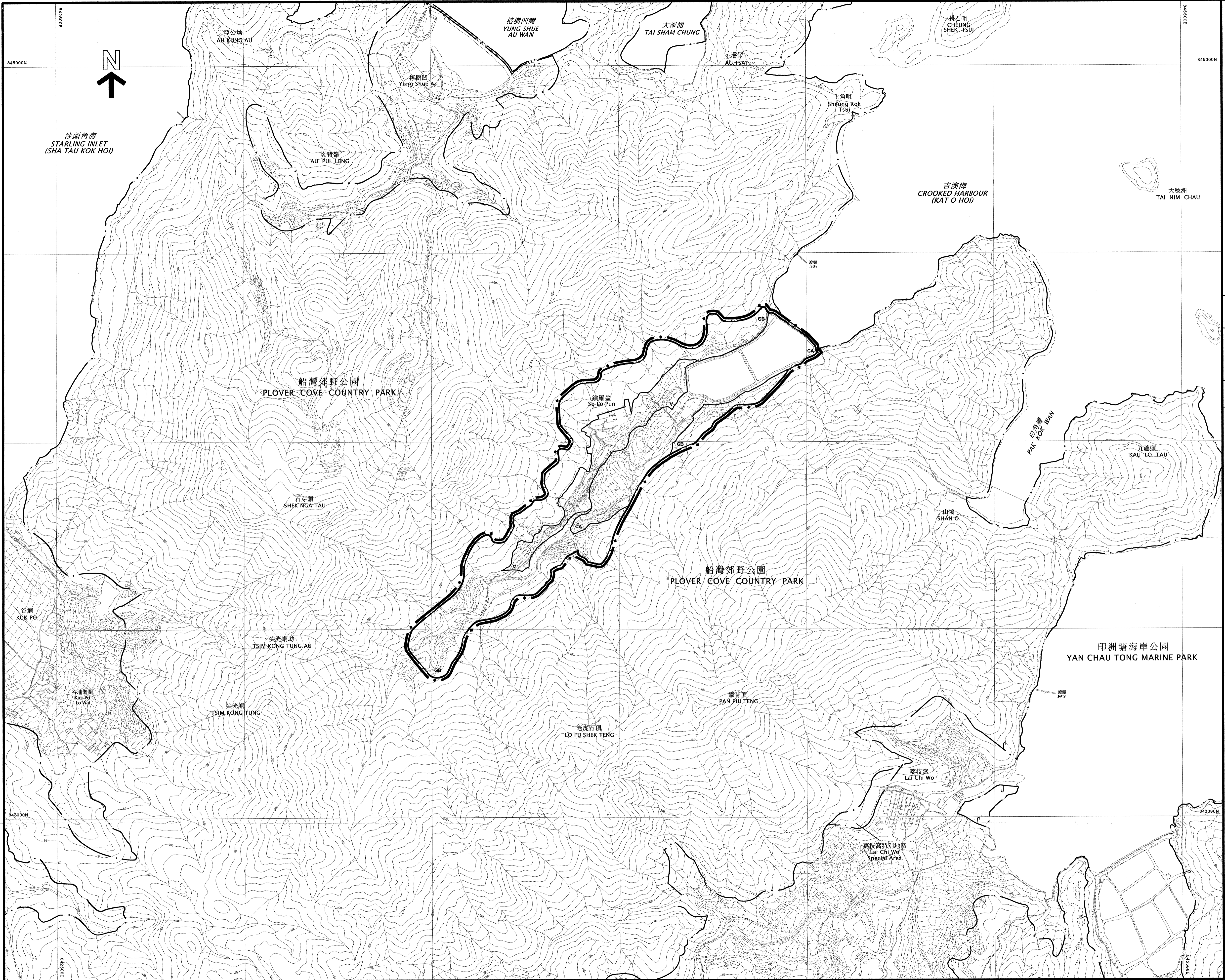
PROPOSED REZONING SITE AT THE SOUTH-WESTERN OF
SO LO PUN FROM "GB" TO "V"

SCALE 1 : 2 000

METRES 40 0 40 80 120 160 METRES



PLAN
9



圖例
NOTATION

ZONES		地帶
VILLAGE TYPE DEVELOPMENT	V	鄉村式發展
GREEN BELT	GB	綠化地帶
CONSERVATION AREA	CA	自然保育區
MISCELLANEOUS		其他
BOUNDARY OF PLANNING SCHEME	— • —	規劃範圍界線
BOUNDARY OF COUNTRY PARK / SPECIAL AREA	— . —	郊野公園 / 特別地區界線

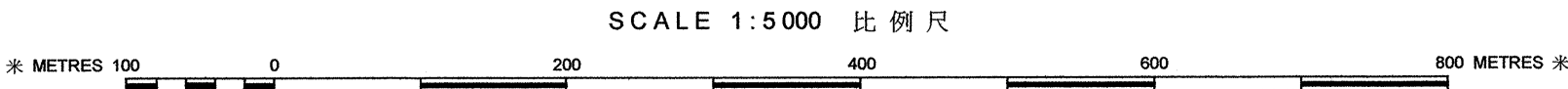
土地用途及面積一覽表
SCHEDULE OF USES AND AREAS

USES	大約面積及百分率 APPROXIMATE AREA & %		用途
	公頃 HECTARES	% 百分率	
VILLAGE TYPE DEVELOPMENT	4.12	14.88	鄉村式發展
GREEN BELT	15.51	56.04	綠化地帶
CONSERVATION AREA	8.05	29.08	自然保育區
TOTAL PLANNING SCHEME AREA	27.68	100.00	規劃範圍總面積

香港城市規劃委員會依據城市規劃條例擬備的鎖羅盆分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
SO LO PUN - 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-SLP/E



**TPB Paper No. 9423
For Consideration by
the Town Planning Board
on 9.8.2013**

**DRAFT SO LO PUN OUTLINE ZONING PLAN NO. S/NE-SLP/E
FURTHER CONSIDERATION OF A NEW PLAN**

DRAFT SO LO PUN OUTLINE ZONING PLAN NO. S/NE-SLP/E

(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) Alignment of roads and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.
- (8) The following uses or developments are always permitted on land falling within the boundaries of the Plan except (a) where the uses or developments are specified in Column 2 of the Notes of individual zones or (b) as provided in paragraph (9) in relation to areas zoned “Conservation Area”:
 - (a) maintenance, repair or demolition of a building;
 - (b) provision, maintenance or repair of plant nursery, amenity planting, open space, rain shelter, refreshment kiosk, footpath, bus/public light bus stop or lay-by, cycle track, taxi rank, public utility pipeline, electricity mast, lamp pole, telephone booth, telecommunications radio base station, automatic teller machine and shrine;
 - (c) maintenance or repair of road, watercourse, nullah, sewer and drain;
 - (d) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities and waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government;
 - (e) rebuilding of New Territories Exempted House;
 - (f) replacement of an existing domestic building, i.e. a domestic building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, by a New Territories Exempted House; and
 - (g) provision, maintenance or repair of a grave of an indigenous New Territories villager or a locally based fisherman and his family members for which permission has been obtained from Government.
- (9) In areas zoned “Conservation Area”,
 - (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 (filling or excavation) is carried out and that the use or development is a use or development specified below:

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

- (b) Except as otherwise provided in paragraph (11)(a), and subject to temporary uses for open storage and port back-up purposes which are prohibited in areas zoned "Conservation Area", 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 SO LO PUN OUTLINE ZONING PLAN NO. S/NE-SLP/E

Schedule of Uses

	<u>Page</u>
VILLAGE TYPE DEVELOPMENT	1
GREEN BELT	3
CONSERVATION AREA	5

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 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. 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.

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 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

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
<hr/>	
Agricultural Use (other than Plant Nursery)	Field Study/Education/Visitor Centre
Nature Reserve	Government Refuse Collection Point
Nature Trail	Government Use (not elsewhere specified)
On-Farm Domestic Structure	House (Redevelopment only)
Wild Animals Protection Area	Public Convenience
	Public Utility Installation
	Radar, Telecommunications Electronic
	Microwave Repeater, Television and/or
	Radio Transmitter Installation

Planning Intention

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

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

(Please see next page)

CONSERVATION AREA (Cont'd)

Remarks

- (a) No redevelopment, including alteration and/or modification, of an existing house shall result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan.
- (b) Any diversion of 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.

S/EN-SLP/E

DRAFT SO LO PUN

OUTLINE ZONING PLAN NO. S/NE-SLP/E

EXPLANATORY STATEMENT

DRAFT SO LO PUN OUTLINE ZONING PLAN NO. S/NE-SLP/E

EXPLANATORY STATEMENT

<u>CONTENTS</u>	<u>Page</u>
1. INTRODUCTION	1
2. AUTHORITY FOR THE PLAN AND PROCEDURE	1
3. OBJECT OF THE PLAN	2
4. NOTES OF THE PLAN	2
5. THE PLANNING SCHEME AREA	2
6. POPULATION	3
7. OPPORTUNITIES AND CONSTRAINTS	3
8. GENERAL PLANNING INTENTION	5
9. LAND-USE ZONINGS	
9.1 Village Type Development	5
9.2 Green Belt	7
9.3 Conservation Area	7
10. COMMUNICATIONS	8
11. UTILITY SERVICES	8
12. IMPLEMENTATION	9
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DRAFT SO LO PUN OUTLINE ZONING PLAN NO. S/NE-SLP/E

(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 So Lo Pun Outline Zoning Plan (OZP) No. S/NE-SLP/E. 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 1 September 2010, under the power delegated by the Chief Executive, the Secretary for Development directed the Board, under section 3(1)(b) of the Town Planning Ordinance (the Ordinance), to prepare a Development Permission Area (DPA) Plan for the So Lo Pun area.
- 2.2 On 30 September 2010, the draft So Lo Pun DPA Plan No. DPA/NE-SLP/1 was exhibited for public inspection under section 5 of the Ordinance. During the plan exhibition period, a total of 14 representations and 5 comments were received. After giving consideration to the representations and comments on 8 April 2011, the Board decided not to meet the representations and not to propose any amendment to the draft DPA Plan.
- 2.3 On 8 November 2011, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft So Lo Pun DPA Plan, which was subsequently renumbered as DPA/NE-SLP/2. On 18 November 2011, the approved So Lo Pun DPA Plan No. DPA/NE-SLP/2 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.4 On 11.1. 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 So Lo Pun area.
- 2.5 On XXX2013, the draft So Lo Pun OZP No.S/NE-SLP/1 (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 area of So Lo Pun so that development and redevelopment within the area of So Lo Pun 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 the changing needs.
- 4.2 For the guidance of the general public, a set of definitions that explains some of the terms used in the Notes may be obtained from the Technical Services Division of the Planning Department and can be downloaded from the Board's website at <http://www.info.gov.hk/tpb/>.

5. THE PLANNING SCHEME AREA

- 5.1 The Planning Scheme Area (the Area) covers a total area of about 27.68 hectares. It is encircled by the Plover Cove Country Park on three sides and fronts the scenic coastline of Kat O Hoi to the north-east.
- 5.2 So Lo Pun Village is the only recognized village in the Area which is currently largely uninhabited. Village developments are mainly concentrated on the lower hillslopes in the northern part of the Area. Most of the village houses have become ruins, except a few one to two-storey houses which are in dilapidated condition and left vacant.
- 5.3 The southern, western and northern parts of the Area are mainly covered by woodland and shrubland. The wooded areas along the hillside form a continuous stretch of well-established vegetation with those located at the adjacent Plover Cove Country Park and complement the overall natural environment and landscape beauty of the surrounding Plover Cove Country Park. Fallow agricultural land in lower slopes and at lowland is mainly covered with grass and shrubs. Some freshwater marshes are evolved from abandoned wet agricultural fields at the flat land in the central part of the Area which are currently covered by wet vegetation and shrubs. Estuarine mangrove/mudflat habitat are found on the seaward side of the Area along the

coastline of Kat O Hoi. A pond fringed by reeds are found to the south-east of the estuarine mangrove. A natural stream flows across the Area in the south-west to north-east direction, the downstream part of which is identified by the Agriculture, Fisheries and Conservation Department (AFCD) as an Ecologically Important Stream (EIS).

6. POPULATION

According to the 2011 Census, there is no population in the Area. It is expected that the total planned population of the area would be about 1,000 persons mainly attributed to the village expansion.

7. OPPORTUNITIES AND CONSTRAINTS

7.1 Opportunities

7.1.1 Conservation and Natural Landscape

The Area not only offers a unique geographical setting but also is an integral part of the landscaped terrain, and comprises a diversity of woodland, hillsides shrubland, abandoned agricultural land, stream, freshwater marsh, mangrove and an EIS which supports some rare and uncommon flora and fauna. With its high quality landscape and great variety of natural habitats, the Area is worthy of conservation

7.1.2 Tourism Potential

The Area is not considered as a popular hiking trail as compared to the adjacent Lai Chi Wo and Sam A Tsuen. It could be either accessible by boats via Sha Tau Kok pier or hiking trails from Kuk Po, Fung Hang or Wu Kau Tang connecting to Bride's Pool Road. Visitors' facilities including one information board and three waymarkers were installed in the Area.

7.2 Constraints

7.2.1 Transportation (Road Access)

No proper vehicular access is available except the footpaths and hiking trails mainly in lower slopes and flatlands connecting to Kuk Po, Fung Hang, Wu Kau Tang and Lai Chi Wo. The Area can be accessed by boat through a jetty at Kat O Hoi.

7.2.2 Geotechnical Constraint

Land to the north, west and south of the Area are bounded by steep natural hillslopes, and may be affected by potential natural terrain landslide hazards. For new development in these areas, natural terrain hazard study would be required and suitable mitigation measures should

be provided, if necessary, as part of the development or re-development.

7.2.3 Ecological Significance

The Area forms an integral part of the natural system of the natural woodlands in the adjoining Plover Cove Country Park with a wide spectrum of natural habitats including watercourses (i.e. the So Lo Pun EIS and associated stream courses), estuarine mangrove/mudflat, seagrass bed, reedpond, woodland, hillside shrubland and fallow agricultural land. According to AFCD, the wetland system in So Lo Pun including the intertidal habitats with mangrove and seagrass bed, reed pond, a natural stream identified as EIS and the freshwater marsh are of ecological importance. A relatively high diversity of fish and a number of species of conservation interest including water fern *Ceratopteris thalictroides* (水蕨), seagrass *Zostera japonica* (矮大葉藻) and a bat species *Tylonycteris robustula* (褐扁顛蝠), as well as the uncommon dragonfly *Orthetrum poecilops poecilops* (班灰蜻) and a fish species *Oryzias curvinotus* (弓背青鱗) have been recorded in the wetland complex. According to the available information, the So Lo Pun EIS and its adjoining freshwater marsh is one of the remaining habitats in Hong Kong that support a healthy and natural population of *Oryzias curvinotus* (弓背青鱗). In addition, the water fern *Ceratopteris thalictroides* (水蕨), which is a protected plant in China, has been recorded throughout the marsh. Development that may adversely affect the rural character and the ecologically sensitive areas will not be recommended.

7.2.4 Landscape Character

The Area is situated in an enclosed, remote, tranquil, harmonious and pleasant rural landscape character area of rich landscape resources, including scrub and woodland, wide stream, pond, wetland, marshes, coastal features, abandoned field and abandoned village. The Area has high landscape value, and no large-scale development should be introduced in order to minimize encroachment onto the sensitive environment and to protect and enhance ecological conservation.

7.2.5 Burial Grounds

A large piece of burial grounds is found at the eastern part of the Area near Kat O Hoi and is not suitable for any development.

7.2.6 Sewerage

There is no existing public sewer nor any committed/planned sewerage project planned for the Area. At present, on-site discharge system such as septic tanks and soakaway pits are generally used in traditional villages. They would only satisfy the requirements of individual lots. Any increase in population or number of visitors to the Area or further recreation/residential developments will require additional facilities.

7.2.7 Infrastructure and Utility Services

There are no electricity, drainage systems, and potable water supply in the Area nor committed/ planned drainage and water supply projects for the Area.

8. GENERAL PLANNING INTENTION

- 8.1 The Area forms an integral part of the natural system of the natural woodlands in the adjoining Plover Cove Country Park with a wide spectrum of natural habitats including, inter alia, woodland, hillside shrubland, mangrove, reedpond, freshwater marshes and an EIS, which support some rare/uncommon flora and fauna of the Area and should be preserved and protected. The general planning intention of the Area is to protect its high conservation and landscape value which complements the overall naturalness and the landscape beauty of the surrounding Plover Cove Country Park.
- 8.2 Apart from the environmental and ecological considerations, development in the Area is constrained by limited transport and infrastructural provisions. It is also intended to consolidate village so as to avoid undesirable disturbances to the natural environment and overtaking the limited infrastructure in the Area.

9. LAND-USE ZONINGS

9.1 “Village Type Development” (“V”) : Total Area 4.12 ha

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

- 9.1.2 The boundaries of the “V” zone are drawn up having regard to the village ‘environs’, the number of outstanding Small House applications, Small House demand forecast, local topography and site constraints. Areas of difficult terrain, dense vegetation, stream courses and burial grounds have been avoided as far as possible. So Lo Pun Village is a recognized village and the only village in the Area.
- 9.1.3 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 first publication in the Gazette of the notice of the draft DPA plan, whichever is the greater. Application for minor relaxation of these restrictions would be considered by the Board based on individual merits, taking into account site constraints, innovative architectural design and planning merits that would enhance the amenity of the locality.
- 9.1.4 Some areas zoned “V” are adjacent to steep natural terrain and may be affected by natural terrain hazards. Any development within the steep natural terrain may be required to carry out a natural terrain hazard study and provision of necessary hazard mitigation measures.
- 9.1.5 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 AFCD and relevant authorities and incorporate relevant comments/advice as conditions of approval wherever possible. Accordingly, Lands Department when processing Small House grant and applications in close proximity to existing stream courses, should consult concerned departments including AFCD and Planning Department to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.
- 9.1.6 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.

9.2 “Green Belt” (“GB”) : Total Area 15.51 ha

- 9.2.1 The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.
- 9.2.2 The sites zoned “GB” include the vegetated hillslopes which form a continuous stretch of well-established vegetation of the natural woodlands in the adjoining Plover Cove Country Park. These “GB” zones are generally covered by natural vegetation, woodland, hillside shrubland and grassland, fallow agricultural land and small natural streams and provide a buffer between the development and conservation areas or Country Park area.
- 9.2.3 There is a traditional burial ground at the eastern part of the hillslopes within this zone. It has been in existence for many years, which are considered as an existing use and intended for burial places of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities within this zone are generally tolerated.
- 9.2.4 There is a general presumption against development within this zone. Development in this zone will be strictly controlled. Development proposals will be considered by the Board on individual merits taking into account the relevant Town Planning Board Guidelines.
- 9.2.5 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.

9.3 “Conservation Area” (“CA”) : Total Area 8.05 ha

- 9.3.1 This zoning is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.

- 9.3.2 The “CA” zoning covers the wetland system in So Lo Pun including the intertidal habitats with mangrove and seagrass bed, reed pond, a natural stream identified as EIS and the freshwater marsh which are of ecological importance. A relatively high diversity of fish and a number of species of conservation interest including water fern *Ceratopteris thalictroides* (水蕨), seagrass *Zostera japonica* (矮大葉藻) and a bat species *Tylonycteris robustula* (褐扁顛蝠), as well as the uncommon dragonfly *Orthetrum poecilops poecilops* (班灰蜻) and a fish species *Oryzias curvinotus* (弓背青鱗) have been recorded in the wetland complex. According to the available information, the So Lo Pun EIS and its adjoining freshwater marsh is one of the remaining habitats in Hong Kong that support a healthy and natural population of *Oryzias curvinotus* (弓背青鱗). In addition, the water fern *Ceratopteris thalictroides* (水蕨), which is a protected plant in China, has been recorded throughout the marsh. It is intended that with stringent planning control imposed under this zoning, the rich ecological and biological features in the area can be protected and preserved.
- 9.3.3 New residential development is not permitted under this zone. Redevelopment of existing houses may be permitted on application to the Board. The redevelopment of existing houses 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 DPA Plan.
- 9.3.4 Diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activities.

10. COMMUNICATIONS

Road/Transport Network

There is no existing road network serving the Area. It is accessible by walking trails leading to Lai Chi Wo and Yung Shue Au. An existing pier is also found at the north of the site. There is no planned road network in the Area.

11. UTILITY SERVICES

- 11.1 There are currently no electricity, sewerage and drainage systems, and potable water supply in the Area. There is no committed/proposed sewerage or drainage projects planned for the Area.
- 11.2 According to China Light Power (CLP), CLP would install electricity supply facilities at the Area by means of overhead lines, underground cables and pole mount transformers.

- 11.3 According to the Study on the Enhancement of the Sha Tau Kok Rural Township and Surrounding Areas – Feasibility Study, a mobile toilet is proposed to be built at the north-east part of the Area which would be replaced by permanent one in the long term if water supply will be available and also subject to resource availability. Information boards would also be installed near the pier in close proximity to the Area.

12. IMPLEMENTATION

- 12.1 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.
- 12.2 At present there is no overall programme for the provision of infrastructure within the Area. The implementation process will be gradual and may stretch over a long period of time depending on the availability of resources. It will be undertaken through the participation of both the public and private sectors.
- 12.3 Notwithstanding the above, minor improvement works, e.g. access improvement and laying of utility services will be implemented through the Public Works Programme and the Rural Public Works subject to priority and resource availability. Private developments will be effected principally through private sector initiatives in accordance with the zoned uses indicated on the Plan, provided that their proposals meet Government requirements.

13. PLANNING CONTROL

- 13.1 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.
- 13.2 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 impacts on the environment, drainage and traffic of the Area. Although no action is required to make such use conform to this Plan, any material change of such use or any other development (except minor alteration and/or modification to the development of the land or building in respect of such use which is always permitted) must be always permitted in terms of the Plan or, if permission is required, in accordance with a permission granted by the Board. The Board will consider these applications on their individual merits. Those alteration and/or modification works which may lead to an environmental improvement or upgrading to the Area may be considered favourably by the Board.

- 13.3 Planning applications to the Board will be assessed on individual merits. In general, the Board, in considering the planning applications, will take into account all relevant planning considerations including guidelines published by the Board. Guidelines published by the Board are available from the Board's website, the Secretariat of the Board and the Technical Services Division of the Planning Department. Application forms and Guidance Notes for planning applications can be downloaded from the Board's website, and are available from the Secretariat of the Board, and the Technical Services Division and the relevant District Planning Office of the Planning Department. Applications should be supported by such materials as the Board thinks appropriate to enable it to consider the applications.
- 13.4 Any development, other than those referred to in paragraph 13.1 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 diversion of streams, filling of land/pond and excavation of land 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".

TOWN PLANNING BOARD
AUGUST 2013

Agenda Item 9**[Open Meeting]****Draft So Lo Pun Outline Zoning Plan No. S/NE-SLP/D****Preliminary Consideration of a New Plan****(TPB Paper No. 9331)**

[The meeting was conducted in Cantonese.]

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

- | | |
|-----------------|--|
| Ms. Jacinta Woo | - District Planning Officer/Shau Tin, Tai Po & North (DPO/STN) |
| Mr. David Ng | - Senior Town Planner/New Plans, STN (STP/NP(STN)) |

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

78. With the aid of a Powerpoint presentation, Mr. David Ng, STP/NP(STN), made the following main points on the draft So Lo Pun Outline Zoning Plan (OZP) No. S/NE-SLP/D as detailed in the Paper:

Background

- (a) on 30.9.2010, the draft So Lo Pun Development Permission Area (DPA) Plan No. DPA/NE-SLP/1 was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). 14 representations and five comments on the representations were received. After giving consideration to the representations and comments on 8.4.2011, the Board decided not to uphold the representations;
- (b) on 8.11.2011, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft So Lo Pun DPA Plan, which was subsequently renumbered as DPA/NE-SLP/2. Pursuant to section 20(5) of the Ordinance, the So Lo Pun DPA Plan was effective only for a period of 3 years until 30.9.2013. An OZP had to be prepared to replace the DPA Plan in order to maintain statutory planning control over the So Lo Pun area upon expiry of the DPA Plan;
- (c) on 11.1.2013, 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 So Lo Pun area;

Strategic Planning Context

- (d) the So Lo Pun area fell within part of the Linkage Area of the "Study on the Enhancement of the Sha Tau Kok Rural Township and Surrounding Areas – Feasibility Study" (the STK Study) commenced in 2010. As per the recommendations of the STK Study, majority of the area was proposed to be preserved to protect the sensitive natural environment;
- (e) with reference to the Landscape Value Mapping of Hong Kong (2005), the So Lo Pun area was rated with "High (qualified)" landscape value. With its high quality landscape and great variety of natural habitats, the area was worthy of conservation;

Issues Arising from Consideration of the DPA Plan

- (f) since the gazettal of the draft DPA Plan on 30.9.2010, no planning proposal or application had been received;
- (g) the major land use proposals arising from the representations to the draft DPA Plan were recapitulated below:
 - (i) environmental concerned groups suggested that ecologically and environmentally sensitive areas such as whole section and both sides of So Lo Pun stream, coastal area, seagrass and the mangrove community, fung shui woodland and secondary forest be designated for conservation purpose including "Site of Special Scientific Interest" ("SSSI"), "Coastal Protection Area" ("CPA"), and "Conservation Area" ("CA") zones; and
 - (ii) local villagers suggested that hilly areas at the fringe be designated as "Green Belt" ("GB"); "Government, Institution or Community" ("G/IC") for an ex-school site at the entrance of the So Lo Pun area for providing public facilities to visitors; "Recreation" ("REC") for the mangrove mudflat and freshwater marsh for developing field study/education/visitor centre to promote fishery at Kat O Hoi; "Agriculture" ("AGR") for the terraced agricultural land for agricultural development such as hobby farming; and "Village Type Development" ("V") for the central part of the area for New Territories Exempted House (NTEH) with 'Hotel (Holiday House only)' to provide short-term accommodation for recreational/ agricultural activities and eco-tourism;

Town Planning Board's Decisions and Instructions

- (h) while the Board decided not to meet the representations and not to propose any amendment to the draft DPA Plan on 8.4.2011, it was agreed that there was a need to strike a balance between environmental conservation and sustainable development of the area which would be taken into account in the preparation of the future OZP;

The Planning Scheme Area

- (i) the Planning Scheme Area of So Lo Pun (the Area) covered a total area of about 27.68 ha. It was encircled by the Plover Cove Country Park (PCCP) on three sides and fronted onto the scenic coastline of Kat O Hoi to the north-east;
- (j) So Lo Pun Village was the only recognized village in the Area which was currently largely uninhabited. Village developments were mainly concentrated on the lower hillslopes in the northern part of the Area. Most of the village houses had become ruins, except a few one to two-storey houses which were in dilapidated condition and left vacant;
- (k) the southern, western and northern parts of the Area were mainly covered by woodland and shrubland. The wooded areas along the hillside formed a continuous stretch of well-established vegetation with those located at the adjacent PCCP and complemented the overall natural environment and landscape beauty of the surrounding PCCP. Fallow agricultural land in lower slopes and at lowland were mainly covered with grass and shrubs. Some freshwater marshes were evolved from abandoned wet agricultural fields at the flat land in the central part of the Area. Estuarine mangrove/mudflat habitats were found on the seaward side of the Area along the coastline of Kat O Hoi. A pond fringed by reeds was found to the south-west of the estuarine mangrove. A natural stream flowed across the Area in the south-west to north-east direction, the downstream part of which was an Ecologically Important Stream (EIS);

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

- (l) in the course of preparation of the OZP, some views/proposals were received from informal meetings/site visits with concerned parties:
 - (i) Sha Tau Kok District Rural Committee (STKDRC) opined that low density village house development with eco-tourism should be the

main theme for future land use planning and the area of the future "V" zone should be able to accommodate the 10-year Small House demand forecast. However, conservation zoning was not supported as majority of the land were under private ownership;

- (ii) environmental concerned groups suggested that the future OZP should focus on conservation and the proposed "V" zone should be confined to the existing ruins of structures and its surrounding areas while the ecologically sensitive areas should be preserved and protected for conservation purpose; and
- (iii) Kadoorie Farm and Botanic Garden Corporation (KFBGC) submitted an Ecological Note on So Lo Pun to PlanD to facilitate the preparation of the OZP. The Note recommended that the woodland, the freshwater marshes in the flat area of the valley and the streamcourses should be zoned "CA", and the ponds at the coastal area should be zoned "CA" or "CPA" since many species of conservation importance were recorded in these habitats, and that the conservation importance of So Lo Pun was very high and thus it should be eventually incorporated into the Country Park system;

Land Use Planning Considerations

Environmental and Conservation Considerations

- (m) while local villagers requested to promote fishery and eco-tourism for the Area by designating the mangrove mudflat and freshwater marsh at the coastal area for recreational purpose, environmental concerned groups suggested that the ecologically and environmentally sensitive areas should be designated for conservation purpose;
- (n) according to the Agriculture, Fisheries and Conservation Department (AFCD), the wetland system in So Lo Pun including the intertidal habitats with mangrove and seagrass bed, reed pond, a natural stream identified as EIS and the freshwater marsh were of ecological importance. A relatively

high diversity of fish and a number of species of conservation interest including water fern *Ceratopteris thalictroides* (水蕨), seagrass *Zostera japonica* (矮大葉藻) and a bat species *Tylonycteris robustula* (褐扁顛蝠), as well as the uncommon dragonfly *Orthetrum poecilops poecilops* (班灰蜻) and a fish species *Oryzias curvinotus* (弓背青鱗), had been recorded in the wetland complex. According to the available information, the So Lo Pun EIS and its adjoining freshwater marsh was one of the remaining habitats in Hong Kong that supported a healthy and natural population of *Oryzias curvinotus*. In addition, the water fern *Ceratopteris thalictroides*, which was a protected plant in China, had been recorded throughout the marsh. These important habitats for a variety of rare and uncommon flora and fauna should be protected. AFCD considered that "CA" zoning for the wetland complex in So Lo Pun was appropriate;

- (o) the surrounding wooded areas, which formed a continuous stretch of well-established vegetation of the natural woodlands adjoining the PCCP, were proposed to be designated as "GB" zones so as to provide a buffer between the development and conservation areas or Country Park;

Land for Village Development

- (p) So Lo Pun was the only recognized village in the Area and its 'VE' covered an area of about 8.58 ha. PlanD had assessed the Small House demand of So Lo Pun based on the District Lands Officer/North (DLO/N)'s latest information on the 10-year forecast for Small House demand. DLO/N advised that according to the Indigenous Village Representative of So Lo Pun Village, the 10-year forecast for Small House demand (2011-2020) for So Lo Pun area was 270 (as compared to the figure of 230 for 2010-2019). There was neither outstanding nor approved Small House application in respect of So Lo Pun. It was estimated that the total land required for meeting the Small House demand of 270 was about 6.75 ha;
- (q) according to the 2011 Population Census, there was no population in the Area. There was no planning proposal/application received since the

gazettal of the draft DPA Plan;

- (r) given the natural environment with high conservation and landscape value coupled with its inaccessibility due to lack of vehicular access, an incremental approach for designation of "V" zone for Small House development had been adopted. Thus, about 2.52 ha of land mainly comprising the existing village settlements with its surrounding areas had been reserved for Small House development. Within the proposed "V" zone, about 1.73 ha of land was available (or equivalent to about 69 Small House sites). Although there was insufficient land to meet the 10-year forecast for Small House demand (deficit of about 5.02 ha of land or equivalent to about 200 Small House sites), this figure had not been verified. Besides, the planning application system had provided a means for the villagers to apply for Small House development outside the "V" zone;
- (s) with reference to the concern on potential impacts of developments in particular Small Houses within "V" zones on existing streamcourses in the Area, LandsD, when processing Small House grant and applications in close proximity to existing streamcourses, 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 was also 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;

Planning Intention

- (t) the Area formed an integral part of the natural system of the natural woodlands in the adjoining PCCP with a wide spectrum of natural habitats including, inter alia, woodland, hillside shrubland, freshwater marsh and mangrove and an ecologically important stream which supported some rare/uncommon flora and fauna of the Area and should be preserved and

protected. The general planning intention of the Area was to protect its high conservation and landscape value which complemented the overall naturalness and the landscape beauty of the surrounding PCCP;

- (u) apart from the environmental and ecological considerations, development in the Area was constrained by limited transport and infrastructural provisions. It was also intended to consolidate village development so as to avoid undesirable disturbances to the natural environment and overtaxing the limited infrastructure in the Area;

Land Use Zonings

- (v) the "V" zone (2.52 ha) covered So Lo Pun Village which was a recognized village and the only village in the Area. Some areas zoned "V" were adjacent to steep natural terrain and might be affected by natural terrain hazards. Any development within the steep natural terrain might be required to carry out a natural terrain hazard study and provision of necessary hazard mitigation measures. Besides, development for 'Hotel (Holiday House only)' might be permitted on application to the Board;
- (w) the areas zoned "GB" (17.15 ha) included the vegetated hillslopes to the north, west and south. The "GB" zones were generally covered by natural vegetation, woodland, hillside shrubland and grassland, fallow agricultural land and small natural streams and provided a buffer between the development and conservation areas or Country Park area;
- (x) the "CA" zones (8.01 ha) covered the wetland system in So Lo Pun including the intertidal habitats with mangrove and seagrass bed, reed pond, a natural stream identified as EIS and the freshwater marsh which were of ecological importance;
- (y) as compared to the approved So Lo Pun DPA Plan where all the land were designated as "Unspecified Use" area, majority of land uses in the draft So Lo Pun OZP had been allocated to conservation zonings (including about

62% for "GB" zone and about 29% for "CA" zone) due to the large area of environmental and ecological significance while about 9% had been reserved for village development;

Consultation

- (z) government bureaux and departments had been consulted and their comments had been incorporated as appropriate; and
- (aa) subject to the agreement of the Board, the draft So Lo Pun OZP No. S/NE-SLP/D would be submitted to the North District Council (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.

79. In response to a Member's question on the Small House applications and their implementation progress in So Lo Pun, Ms. Jacinta Woo said that according to DLO/N, there were neither outstanding nor approved Small House applications in So Lo Pun. Moreover, there was no planning application for Small House development in the So Lo Pun area since the gazettal of the draft So Lo Pun DPA Plan.

80. A Member asked how the 10-year Small House demand forecast for So Lo Pun Village was derived. Ms. Jacinta Woo said that as in other villages, the Small House demand forecast figures were provided by the Indigenous Village Representative of So Lo Pun Village and no verification on the figures could be carried out by government departments. In general, the forecast figures were based on clan pedigrees and past records of the village.

81. A Member expressed support to the draft OZP as the "GB" and "CA" zones could serve as ecological corridors between So Lo Pun Village and the adjacent PCCP.

82. A Member said that given the limited infrastructures including roads and sewerage system in the So Lo Pun area, it might be difficult for villagers to obtain planning approval for Small House developments. The Chairman said that on sewerage concern,

the use of septic tanks for sewage treatment purpose in Small House developments was common and acceptable. In any case, such applications would be considered on their individual merits.

83. 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 of the draft So Lo Pun OZP No. S/NE-SLP/D; and
- (b) agreed that the draft So Lo Pun OZP No. S/NE-SLP/D together with its Notes and Explanatory Statement were suitable for submission to the NDC and the STKDRC for consultation.

[The meeting was adjourned for a short break of 5 minutes.]

[Mr. Ivan C.S. Fu, Ms. Julia M.K. Lau, Mr. H.F. Leung and Ms. Anita W.T. Ma left the meeting temporarily at this point.]

TOWN PLANNING BOARD

**TPB Paper No. 9331
For Consideration by
the Town Planning Board
on 26.4.2013**

**DRAFT SO LO PUN OUTLINE ZONING PLAN (OZP) NO. S/NE-SLP/D
PRELIMINARY CONSIDERATION OF A NEW PLAN**

DRAFT SO LO PUN OUTLINE ZONING PLAN (OZP) NO. S/NE-SLP/D
PRELIMINARY CONSIDERATION OF A NEW PLAN

1. Purpose

The purpose of this paper is to present to Members the draft So Lo Pun OZP No. S/NE-SLP/D (the Plan) and to seek Members' agreement that the Plan is suitable for submission to the North District Council (NDC) and the Sha Tau Kok District Rural Committee (STKDRC) for consideration.

2. Background

- 2.1 On 1.9.2010, under the power delegated by the Chief Executive, the Secretary for Development directed the Board, under section 3(1)(b) of the Town Planning Ordinance (the Ordinance), to prepare a Development Permission Area (DPA) Plan for the So Lo Pun area.
- 2.2 On 30.9.2010, the draft So Lo Pun DPA Plan No. DPA/NE-SLP/1 was exhibited for public inspection under section 5 of the Ordinance. During the plan exhibition period, a total of 14 representations and 5 comments were received. After giving consideration to the representations and comments on 8.4.2011, the Town Planning Board (the Board) decided not to meet the representations and not to propose any amendment to the draft DPA Plan.
- 2.3 On 8.11.2011, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft So Lo Pun DPA Plan, which was subsequently renumbered as DPA/NE-SLP/2. On 18.11.2011, the approved So Lo Pun DPA Plan No. DPA/NE-SLP/2 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.4 Pursuant to section 20(5) of the Ordinance, the So Lo Pun DPA Plan is effective only for a period of 3 years until 30.9.2013. As such, an OZP has to be prepared to replace the DPA Plan in order to maintain statutory planning control over the So Lo Pun area upon expiry of the DPA Plan.
- 2.5 On 11.1.2013, 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 So Lo Pun area.

3. Strategic Planning Context

- 3.1 The Area falls within part of the Linkage Area of the “Study on the Enhancement of the Sha Tau Kok Rural Township and Surrounding Areas – Feasibility Study” (the STK Study) commenced in 2010. One of the major objectives of the Study is to keep the natural landscape intact and untouched and preserve the sensitive natural environment as much as possible in most of the Linkage Area. As per the recommendations of the STK Study, majority of the Area is proposed to be preserved to protect the sensitive natural environment.
- 3.2 With reference to the Landscape Value Mapping of Hong Kong (2005), the Area is situated in an enclosed, remote, tranquil, harmonious and pleasant rural landscape character area of rich landscape resources, including scrub and woodland, wide stream, pond, wetland, marshes, coastal features, abandoned field and abandoned village. The Area is rated with “High (qualified)” landscape value. With its high quality landscape and great variety of natural habitats, the Area is worthy of conservation.
- 3.3 The Area is situated in a valley occupied by a stream, part of which is listed as Ecologically Important Stream (EIS) by the Agriculture, Fisheries and Conservation Department (AFCD), in the centre with scrub and woodland at both sides. Scattered village houses lie at the north side of the valley. Given the natural environment with high conservation and landscape value coupled with its inaccessibility due to lack of vehicular access, the planning framework for the Area should fundamentally be the preservation of the natural environment and its natural resources. No large-scale development should be introduced in order to minimize encroachment onto the sensitive environment and to protect and conserve the Area. Details of the land use considerations are contained in the Planning Report on So Lo Pun at **Appendix IV**. Some major issues in relation to the proposed zonings are stated below.

4. Issues Arising from Consideration of the DPA Plan

Since the gazettal of the draft DPA Plan on 30.9.2010, no planning proposal or application has been received. However, during the 2 months’ plan exhibition period, a total of 14 representations were received and the Board decided not to meet the representations and not to propose any amendment to the draft DPA Plan. Those major land use proposals arising from the representations are recapitulated below:

- (a) Environmental concerned groups ¹ suggested that ecologically and environmentally sensitive areas such as whole section and both sides of So Lo Pun stream, coastal area, seagrass and the mangrove community, fung shui woodland

¹ Environmental concerned groups include WWF Hong Kong, Designing Hong Kong, Kadoorie Farm & Botanic Garden Corporation, and The Conservancy Association.

and secondary forest be designated for conservation purpose including "Site of Special Scientific Interest" ("SSSI"), "Coastal Protection Area" ("CPA"), and "Conservation Area" ("CA") zone; and

- (b) Local villagers suggested that hilly areas at the fringe be designated as "Green Belt" ("GB"); "Government, Institution or Community" ("G/IC") for an ex-school site at the entrance of the Area for providing public facilities to visitors; "Recreation" ("REC") for the mangrove mudflat and freshwater marsh for developing field study/education/visitor centre to promote fishery at Kat O Hoi; "Agriculture" ("AGR") for the terraced agricultural land for agricultural development such as hobby farming; and "Village Type Development" ("V") for the central part of the Area for New Territories Exempted House (NTEH) with 'hotel (holiday house only)' to provide short-term accommodation for recreational/agricultural activities and eco-tourism.

5. Town Planning Board's Decisions and Instructions

On 8.4.2011, while the Board decided not to meet the representations and not to propose any amendment to the draft DPA Plan, it was agreed that there was a need to strike a balance between environmental conservation and sustainable development of the Area which would be taken into account in the preparation of the future OZP.

6. Object of the Plan

The object of the Plan is to indicate the broad land-use zonings for the area of So Lo Pun so that development and redevelopment within the area of So Lo Pun 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 27.68 hectares. It is encircled by the Plover Cove Country Park (PCCP) on three sides and fronts the scenic coastline of Kat O Hoi to the north-east. The boundary of the Area is shown by a heavy broken line on the Plan (**Appendix I**).
- 7.2 So Lo Pun Village is the only recognized village in the Area which is currently largely uninhabited. Village developments are mainly concentrated on the lower hillslopes in the northern part of the Area. Most of the village houses have become ruins, except a few one to two-storey houses which are in dilapidated condition and left vacant.

- 7.3 The southern, western and northern parts of the Area are mainly covered by woodland and shrubland. The wooded areas along the hillside form a continuous stretch of well-established vegetation with those located at the adjacent PCCP and complement the overall natural environment and landscape beauty of the surrounding PCCP. Fallow agricultural land in lower slopes and at lowland is mainly covered with grass and shrubs. Some freshwater marshes are evolved from abandoned wet agricultural fields at the flat land in the central part of the Area which are covered by wet vegetation and shrubs. Estuarine mangrove/mudflat habitat are found on the seaward side of the Area along the coastline of Kat O Hoi. A pond fringed by reeds are found to the south-west of the estuarine mangrove. A natural stream flows across the Area in the south-west to north-east direction, the downstream part of which is an EIS. Existing physical features with the 'village environs' for So Lo Pun village is shown on **Plan 1**.

8. Development Proposals Received in the Course of Preparation of the Plan

In the course of preparation of the Plan, some other views/proposals were received from informal meetings/site visits with concerned parties:

- (a) STKDRC opined that the low density village house development with eco tourism should be the main theme for future land use planning and the area of the future "V" zone should be able to accommodate the 10-year Small House demand forecast. However, the conservation zoning is not supported as majority of the land are under private ownership;
- (b) Environmental concerned groups suggested that the future OZP should focus on conservation and the proposed "V" zone should be confined to the existing ruins of structures and its surrounding areas while the ecologically sensitive areas should be preserved and protected for conservation purpose; and
- (c) Kadoorie Farm and Botanic Garden (KFBG) submitted an Ecological Note on So Lo Pun to PlanD to facilitate the preparation of the OZP. The Note recommends that the woodland, the freshwater marshes in the flat area of the valley and the stream courses should be zoned "CA" and the ponds at the coastal area should be zoned "CA" or "CPA" since many species of conservation importance were recorded in these habitats, and that the conservation importance of So Lo Pun is very high and thus it should be eventually incorporated into the Country Park system where it would receive the appropriate protection. Planning Assessments on the Ecological Note are detailed in **Appendix V**.

9. Land Use Planning Considerations

Environmental and Conservation Considerations (Figures 5c, 5e and 5f of Planning Report at Appendix IV)

- 9.1 While local villagers requested to promote fishery and eco-tourism for the Area by designating the mangrove mudflat and freshwater marsh at the coastal area for recreational purpose, environmental concerned groups suggested that the ecologically and environmentally sensitive areas should be designated for conservation purpose.
- 9.2 According to AFCD, the wetland system in So Lo Pun including the intertidal habitats with mangrove and seagrass bed, reed pond, a natural stream identified as EIS and the freshwater marsh are of ecological importance. A relatively high diversity of fish and a number of species of conservation interest including water fern *Ceratopteris thalictroides* (水蕨), seagrass *Zostera japonica* (矮大葉藻) and a bat species *Tylonycteris robustula* (褐扁顱蝠), as well as the uncommon dragonfly *Orthetrum poecilops poecilops* (班灰蜻) and a fish species *Oryzias curvinotus* (弓背青鱗) have been recorded in the wetland complex (**Plan 2**). According to the available information, the So Lo Pun EIS and its adjoining freshwater marsh is one of the remaining habitats in Hong Kong that support a healthy and natural population of *Oryzias curvinotus* (弓背青鱗). In addition, the water fern *Ceratopteris thalictroides* (水蕨), which is a protected plant in China, has been recorded throughout the marsh. These important habitats for a variety of rare and uncommon flora and fauna should be protected. AFCD considers that "CA" zoning for the wetland complex in So Lo Pun is appropriate.
- 9.3 The surrounding wooded areas (**Figure 5b of the Planning Report in Appendix IV**), which form a continuous stretch of well-established vegetation of the natural woodlands adjoining the PCCP are proposed to be designated as "GB" zones so as to provide a buffer between the development and conservation areas or Country Park.

Land for Village Development

- 9.4 The replacement OZP will reflect, amongst others, the existing recognized village and designate areas considered suitable for the provision of village expansion. For the subject OZP, So Lo Pun is the only recognized village in the Area and its 'VE' covers an area of about 8.58 ha (**Plan 1**). Since the publication of the DPA Plan, the local villagers have been asking for reservation of sufficient land at the central part of the Area for "V" zone to accommodate the 10-year Small House demand forecast. Besides, they also claim that since majority of the land are under private ownership (about 50.72% of land in the Area is private land which comprising mainly the lower slopes and central flatlands throughout the whole stretch of the

Area (**Figure 7 of Planning Report at Appendix IV**)), the conservation zoning is not supported.

- 9.5 Environmental concerned groups, on the other hand, suggest that the proposed “V” zone should be confined to the existing ruins of structures and its surrounding areas while other ecologically and environmentally sensitive areas, including estuarine mangrove, seagrass bed, reed pond, freshwater marshes and stream courses should be designated for conservation purpose.
- 9.6 The latest information on the 10-year forecast for Small House demand has been obtained from the District Lands Officer/North (DLO/N). DLO/N has advised that according to the Indigenous Village Representative of So Lo Pun Village, the 10-year forecast for Small House demand (2011-2020) for So Lo Pun area is 270 (as compared to the previous figure of 230²). However, DLO/N has confirmed that there is neither outstanding nor approved Small House application in respect of So Lo Pun. Based on PlanD’s preliminary estimate, the total land required for meeting the Small House demand of 270 is about 6.75 ha.
- 9.7 With reference to the Small House demand and ‘VE’ for the recognized village as enumerated above, PlanD has analyzed the conditions of the area within ‘VE’ taking account of the existing village cluster, environmental conditions and natural terrain and topography of the area. It should be noted that the So Lo Pun Village is mainly concentrated on the lower hillslopes in the north part of the Area (**Figure 6b of Planning Report at Appendix IV**). Land within the ‘VE’ at the central part of the Area comprises not only existing village clusters and ruin structures of So Lo Pun Village, but also some hilly slopes in the north with some fallow agricultural land and fresh water marshes at the centre and a stream course in the south. Throughout the plan-making process, concerned departments have been closely liaised to ensure their input and comments be duly taken into account in the delineation of the “V” zone for the existing village cluster and potential areas for village expansion.

² According to DLO/N in Sept 2010, the 10-year forecast for Small House demand (2010-2019) for So Lo Pun area is 230.

- 9.8 According to the 2011 Census, there is no population in the Area. Moreover, there is neither planning proposal/application received since the gazettal of the draft DPA Plan nor outstanding Small House application in respect of So Lo Pun. Given the natural environment with high conservation and landscape value coupled with its inaccessibility due to lack of vehicular access, an incremental approach for designation of “V” zone for Small House development has been adopted with an aim to consolidating Small House development at suitable locations so as to avoid undesirable disturbances to the natural environment and overtaxing the limited infrastructure in the Area. The surrounding woodland and the freshwater marshes with the stream course at the central and southern part of the Area are hence suggested to be protected. Thus, about 2.52 ha of land mainly comprising the existing village settlements with its surrounding areas have been reserved for Small House development. Within the proposed “V” zone, about 1.73 ha of land is available (or equivalent to about 69 Small House sites) (Table 1).

Table 1: Small House Demand for So Lo Pun Village

Small House Demand Figure in 2010		Small House Demand Figure in 2012		‘VE’ Area (ha)	“V” zone on draft OZP (ha)	Required land to meet new demand (ha) for 270 numbers	Available Land to meet new demand figure (ha)	Percentage of the new demand met by available land
Outstanding Demand	10-year forecast (2010 – 2019)	Outstanding Demand	10-year forecast (2011 – 2020)					
-	230	-	270	8.58	2.52	6.75	1.73	25.64

- 9.9 Although there is insufficient land to meet the 10-year Small House demand (deficit of about 5.02 ha of land or equivalent to about 200 Small House sites), this figure has not been verified. Besides, planning application provides another means for the villagers to apply for SH development subject to the Board’s approval.
- 9.10 With reference to the concern on potential impacts of developments in particular Small Houses within “V” zones 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 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.

10. Planning Intention

10.1 The Area forms an integral part of the natural system of the natural woodlands in the adjoining PCCP with a wide spectrum of natural habitats including, inter alia, woodland, hillside shrubland, freshwater marsh and mangrove and an ecologically important stream which support some rare/uncommon flora and fauna of the Area and should be preserved and protected. The general planning intention of the Area is to protect its high conservation and landscape value which complements the overall naturalness and the landscape beauty of the surrounding PCCP.

10.2 Apart from the environmental and ecological considerations, development in the Area is constrained by limited transport and infrastructural provisions. It is also intended to consolidate village development so as to avoid undesirable disturbances to the natural environment and overtaxing the limited infrastructure in the Area.

11. Land Use Zonings

11.1 "Village Type Development" ("V") : Total Area 2.52 ha

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

11.1.2 So Lo Pun Village is a recognized village and the only village in the Area. The boundaries of the "V" zone are drawn up having regard to the village 'environs', the number of outstanding Small House applications, Small House demand forecast, local topography and site constraints. Areas of difficult terrain, dense vegetation, stream courses and burial grounds have been avoided as far as possible (Plan 1 and (Figure 6b of Planning Report at Appendix IV).

11.1.3 Some areas zoned "V" are adjacent to steep natural terrain and may be affected by natural terrain hazards. Any development within the steep natural terrain may be required to carry out a natural terrain hazard study and provision of necessary hazard mitigation measures. Besides, development for 'Hotel (Holiday House only)', which is a Column 2 use under the "V" zone, may be permitted on application to the Board. 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.

11.2 "Green Belt" ("GB") : Total Area 17.15 ha

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

11.2.2 The sites zoned "GB" include the vegetated hillslopes to its north, west and south. These "GB" zones are generally covered by natural vegetation, woodland, hillside shrubland and grassland, fallow agricultural land and small natural streams and provide a buffer between the development and conservation areas or Country Park area.

11.2.3 There is a general presumption against development within this zone. Development in this zone will be strictly controlled. Development proposals will be considered by the Board on individual merits taking into account the relevant Town Planning Board Guidelines. As diversion of streams, filling of 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.

11.3 "Conservation Area" ("CA") : Total Area 8.01 ha

11.3.1 This zoning is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.

- 11.3.2 The "CA" zoning covers the wetland system in So Lo Pun including the intertidal habitats with mangrove and seagrass bed, reed pond, a natural stream identified as EIS and the freshwater marsh which are of ecological importance. As pointed out in para. 9.2 above, a relatively high diversity of fish and a number of species of conservation interest has been recorded. It is intended that with stringent planning control imposed under this zoning, the rich ecological and biological features in the areas can be protected and preserved.
- 11.3.3 New residential development is not permitted under this zone. Redevelopment of existing houses may be permitted on application to the Board. Diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activities.
- 11.4 Detailed land use zoning proposals are described in Section 9 of the Explanatory Statement (ES) (**Appendix III**) and Section 4.4 of the Planning Report (**Appendix IV**).
- 11.5 As compared to the approved So Lo Pun DPA Plan where all the land are designated as "Unspecified Use", majority of land uses in the draft So Lo Pun OZP have been allocated to conservation zonings (including about 62% for "GB" zone and about 29% for "CA" zone) due to the large area of environmental and ecological significance (e.g. the wetland complex and natural vegetation and woodland in the Area) while about 9% have been reserved for village development.

12. Notes of the Plan

Attached to the Plan is a set of Notes 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 intention 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 The draft OZP together with its Notes and ES and the Planning Report have been circulated to relevant Government bureau and departments for comments. Comments received have been incorporated into the draft OZP, its Notes and ES and the Planning Report as appropriate.

- 13.2 Subject to the agreement of the Board, the draft OZP No. S/NE-SLP/D will be submitted to the NDC and STKDRC for consultation. Comments from the NDC and STKDNRC 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:

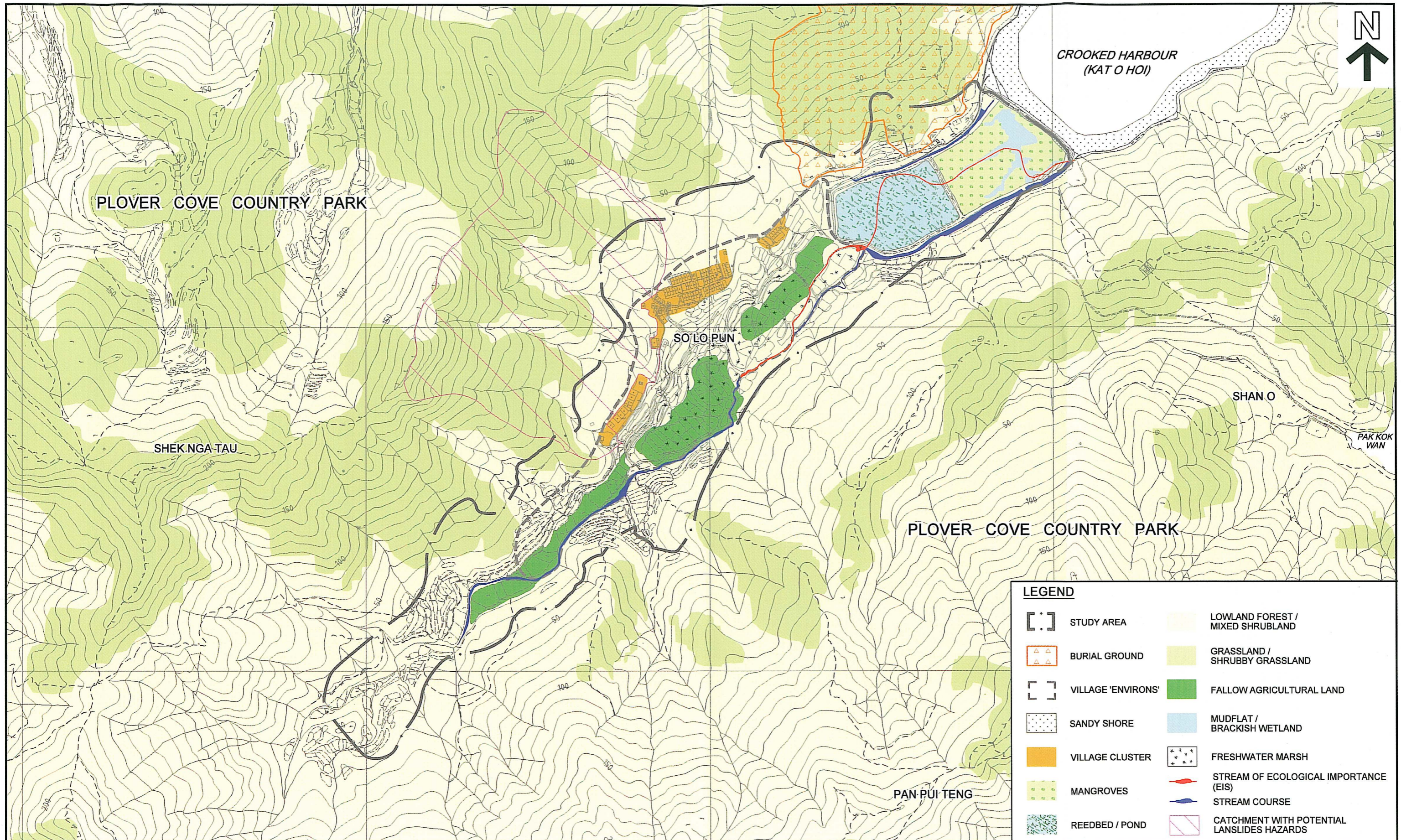
- (a) consider the draft So Lo Pun OZP No. S/NE-SLP/D (**Appendix I**) together with its Notes and ES (**Appendices II and III**) and the Planning Report (**Appendix IV**);
- (b) adopt the updated ES as an expression of the planning intension and objectives of the Board for various land use zonings of the draft So Lo Pun OZP No. S/NE-SLP/D; and
- (c) agree that the draft So Lo Pun OZP No. S/NE-SLP/D together with its Notes and ES (**Appendices I to III**) are suitable for submission to the NDC and STKNRC for consultation.

Attachments

Plan 1	Village Environs and Existing Physical Features of So Lo Pun
Plan 2	Species of Conservation Interests in the Wetland System in So Lo Pun
Appendix I	Draft So Lo Pun OZP No. S/NE-SLP/D
Appendix II	Notes of the Draft So Lo Pun Outline Zoning Plan No. S/NE-SLP/D
Appendix III	Explanatory Statement of the Draft So Lo Pun Outline Zoning Plan No. S/NE-SLP/D
Appendix IV	Planning Report on So Lo Pun
Appendix V	Planning Assessments on the Ecological Note on So Lo Pun submitted by Kadoorie Farm and Botanic Garden in December 2012

PLANNING DEPARTMENT

APRIL 2013



VILLAGE 'ENVIRONS' AND EXISTING PHYSICAL FEATURES

SO LO PUN

EXTRACT PLAN PREPARED ON 22.4.2013
BASED ON SURVEY SHEETS No. 3-NE-14D, 15C/D, 19B/D AND 20A/B/C/D

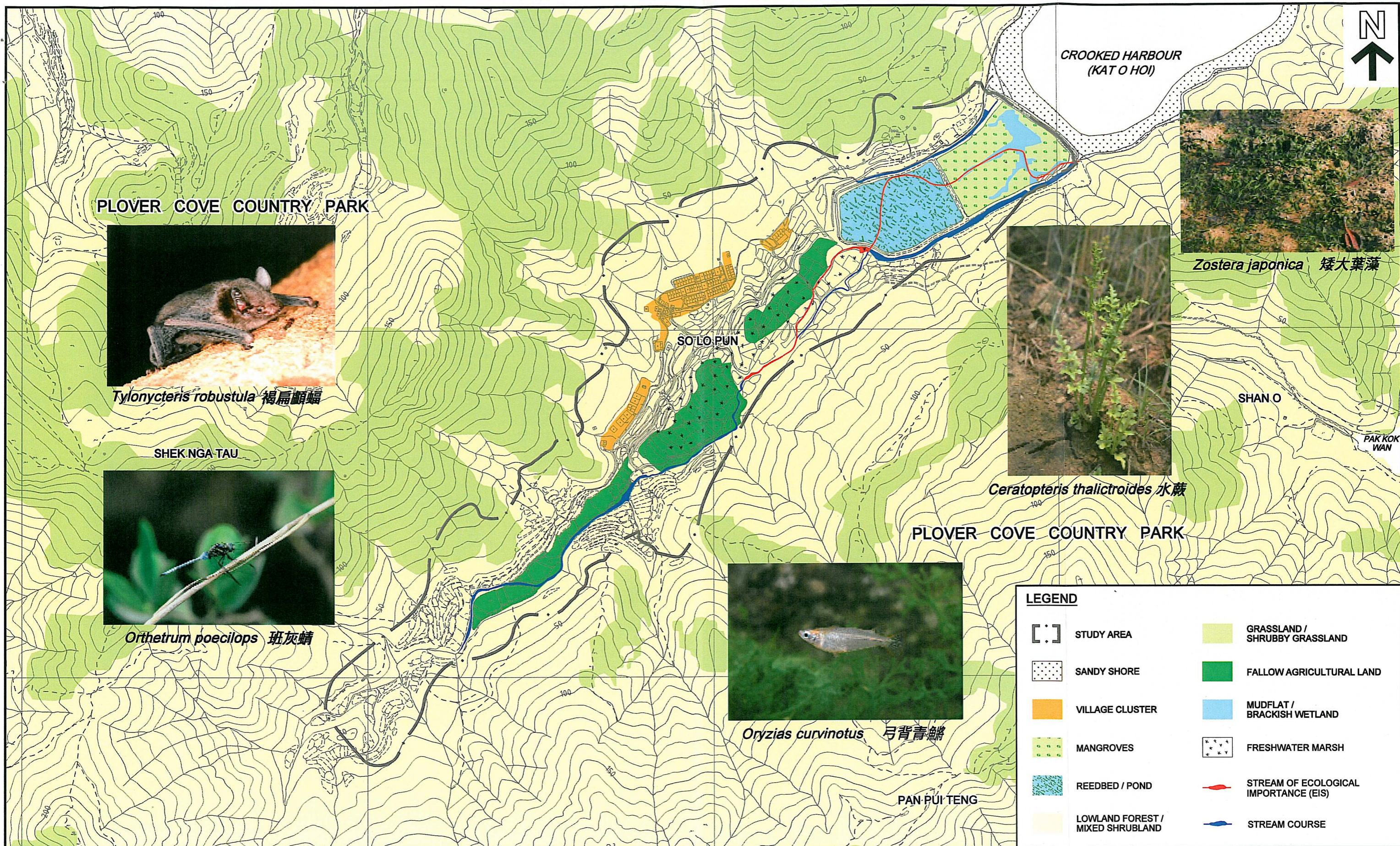
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PLANNING DEPARTMENT



REFERENCE No.
M/NP/SLP/13/3

PLAN
1



EXTRACT PLAN PREPARED ON 23.4.2013
BASED ON SURVEY SHEETS No. 3-NE-14D, 15C/D, 19B/D AND 20A/B/C/D

SPECIES OF CONSERVATION INTEREST IN WETLAND SYSTEM IN SO LO PUN

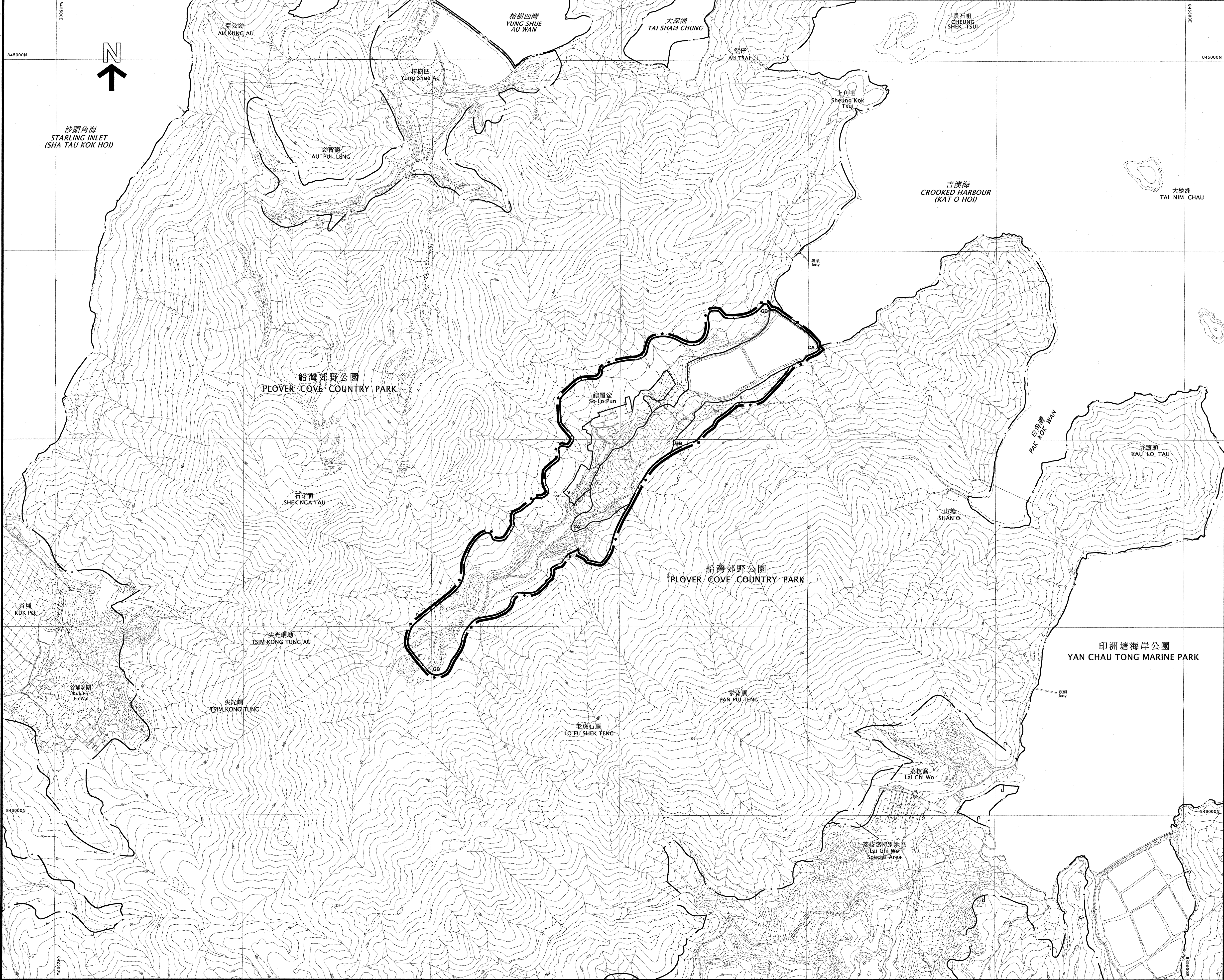
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PLANNING DEPARTMENT



REFERENCE No.
M/NP/SLP/13/3

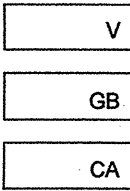
PLAN
2



圖例
NOTATION

ZONES

VILLAGE TYPE DEVELOPMENT
GREEN BELT
CONSERVATION AREA



地帶

鄉村式發展
綠化地帶
自然保育區

MISCELLANEOUS

BOUNDARY OF PLANNING SCHEME
BOUNDARY OF COUNTRY PARK / SPECIAL AREA



其他

規劃範圍界線
郊野公園 / 特別地區界線

土地用途及面積一覽表
SCHEDULE OF USES AND AREAS

USES	大約面積及百分率 APPROXIMATE AREA & %			用途
	公頃 HECTARES	%	百分率	
VILLAGE TYPE DEVELOPMENT	2.52	9.10		鄉村式發展
GREEN BELT	17.15	61.96		綠化地帶
CONSERVATION AREA	8.01	28.94		自然保育區
TOTAL PLANNING SCHEME AREA	27.68	100.00		規劃範圍總面積

香港城市規劃委員會依據城市規劃條例擬備的鎖羅盆分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
SO LO PUN - OUTLINE ZONING PLAN

SCALE 1:5 000 比例尺
米 METRES 100 0 200 400 600 800 METRES 米

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-SLP/D

DRAFT SO LO PUN OUTLINE ZONING PLAN NO. S/NE-SLP/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) Alignment of roads and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.
- (8) The following uses or developments are always permitted on land falling within the boundaries of the Plan except (a) where the uses or developments are specified in Column 2 of the Notes of individual zones or (b) as provided in paragraph (9) in relation to areas zoned "Conservation Area":
 - (a) maintenance, repair or demolition of a building;
 - (b) provision, maintenance or repair of plant nursery, amenity planting, open space, rain shelter, refreshment kiosk, footpath, bus/public light bus stop or lay-by, cycle track, taxi rank, public utility pipeline, electricity mast, lamp pole, telephone booth, telecommunications radio base station, automatic teller machine and shrine;
 - (c) maintenance or repair of road, watercourse, nullah, sewer and drain;
 - (d) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities and waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government;
 - (e) rebuilding of New Territories Exempted House;
 - (f) replacement of an existing domestic building, i.e. a domestic building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, by a New Territories Exempted House; and
 - (g) provision, maintenance or repair of a grave of an indigenous New Territories villager or a locally based fisherman and his family members for which permission has been obtained from Government.
- (9) In areas zoned "Conservation Area",
 - (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 (filling or excavation) is carried out and that the use or development is a use or development specified below:

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

- (b) Except as otherwise provided in paragraph (11)(a), and subject to temporary uses for open storage and port back-up purposes which are prohibited in areas zoned "Conservation Area", 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 SO LO PUN OUTLINE ZONING PLAN NO. S/NE-SLP/D

Schedule of Uses

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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 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. 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.

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 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

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 House (Redevelopment only) Public Convenience Public Utility Installation Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation

Planning Intention

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

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

(Please see next page)

CONSERVATION AREA (Cont'd)

Remarks

- (a) No redevelopment, including alteration and/or modification, of an existing house shall result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan.
- (b) Any diversion of 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 SO LO PUN

OUTLINE ZONING PLAN NO. S/NE-SLP/D

EXPLANATORY STATEMENT

DRAFT SO LO PUN OUTLINE ZONING PLAN NO. S/NE-SLP/D

EXPLANATORY STATEMENT

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DRAFT SO LO PUN OUTLINE ZONING PLAN NO. S/NE-SLP/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 So Lo Pun Outline Zoning Plan (OZP) No. S/NE-SLP/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 1 September 2010, under the power delegated by the Chief Executive, the Secretary for Development directed the Board, under section 3(1)(b) of the Town Planning Ordinance (the Ordinance), to prepare a Development Permission Area (DPA) Plan for the So Lo Pun area.
- 2.2 On 30 September 2010, the draft So Lo Pun DPA Plan No. DPA/NE-SLP/1 was exhibited for public inspection under section 5 of the Ordinance. During the plan exhibition period, a total of 14 representations and 5 comments were received. After giving consideration to the representations and comments on 8 April 2011, the Board decided not to meet the representations and not to propose any amendment to the draft DPA Plan.
- 2.3 On 8 November 2011, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft So Lo Pun DPA Plan, which was subsequently renumbered as DPA/NE-SLP/2. On 18 November 2011, the approved So Lo Pun DPA Plan No. DPA/NE-SLP/2 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.4 On 11.1. 2013, under the power delegated by the Chief Executive, the Secretary for Development directed the Town Planning Board (the Board), under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the So Lo Pun area.
- 2.5 On XXX2013, the draft So Lo Pun OZP No.S/NE-SLP/1 (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 area of So Lo Pun so that development and redevelopment within the area of So Lo Pun 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 the changing needs.
- 4.2 For the guidance of the general public, a set of definitions that explains some of the terms used in the Notes may be obtained from the Technical Services Division of the Planning Department and can be downloaded from the Board's website at <http://www.info.gov.hk/tpb/>.

5. **THE PLANNING SCHEME AREA**

- 5.1 The Planning Scheme Area (the Area) covers a total area of about 27.68 hectares. It is encircled by the Plover Cove Country Park on three sides and fronts the scenic coastline of Kat O Hoi to the north-east.
- 5.2 So Lo Pun Village is the only recognized village in the Area which is currently largely uninhabited. Village developments are mainly concentrated on the lower hillslopes in the northern part of the Area. Most of the village houses have become ruins, except a few one to two-storey houses which are in dilapidated condition and left vacant.
- 5.3 The southern, western and northern parts of the Area are mainly covered by woodland and shrubland. The wooded areas along the hillside form a continuous stretch of well-established vegetation with those located at the adjacent Plover Cove Country Park and complement the overall natural environment and landscape beauty of the surrounding Plover Cove Country Park. Fallow agricultural land in lower slopes and at lowland is mainly covered with grass and shrubs. Some freshwater marshes are evolved from

abandoned wet agricultural fields at the flat land in the central part of the Area which are currently covered by wet vegetation and shrubs. Estuarine mangrove/mudflat habitat are found on the seaward side of the Area along the coastline of Kat O Hoi. A pond fringed by reeds are found to the south-east of the estuarine mangrove. A natural stream flows across the Area in the south-west to north-east direction, the downstream part of which is identified by the Agriculture, Fisheries and Conservation Department (AFCD) as an Ecologically Important Stream (EIS).

6. POPULATION

According to the 2011 Census, there is no population in the Area. It is expected that the total planned population of the area would be 979 persons mainly attributed to the village expansion.

7. OPPORTUNITIES AND CONSTRAINTS

7.1 Opportunities

7.1.1 Conservation and Natural Landscape

The Area not only offers a unique geographical setting but also is an integral part of the landscaped terrain, and comprises a diversity of woodland, hillsides shrubland, abandoned agricultural land, stream, freshwater marsh, mangrove and an EIS which supports some rare and uncommon flora and fauna. With its high quality landscape and great variety of natural habitats, the Area is worthy of conservation

7.1.2 Tourism Potential

The Area is not considered as a popular hiking trail as compared to the adjacent Lai Chi Wo and Sam A Tsuen. It could be either accessible by boats via Sha Tau Kok pier or hiking trails from Kuk Po, Fung Hang or Wu Kau Tang connecting to Bride's Pool Road. Visitors' facilities including one information board and three waymarkers were installed in the Area.

7.2 Constraints

7.2.1 Transportation (Road Access)

No proper vehicular access is available except the footpaths and hiking trails mainly in lower slopes and flatlands connecting to Kuk Po, Fung Hang, Wu Kau Tang and Lai Chi Wo. The Area can also be accessed by boat through a jetty at Kat O Hoi.

7.2.2 Geotechnical Constraint

Land to the north, west and south of the Area are bounded by steep natural hillslopes, and may be affected by potential natural terrain landslide hazards. For new development in these areas, natural terrain hazard study would be required and suitable mitigation measures should be provided, if necessary, as part of the development or re-development.

7.2.3 Ecological Significance

The Area forms an integral part of the natural system of the natural woodlands in the adjoining Plover Cove Country Park with a wide spectrum of natural habitats including watercourses (i.e. the So Lo Pun EIS and associated stream courses), estuarine mangrove/mudflat, seagrass bed, reedpond, woodland, hillside shrubland, fallow agricultural land. According to AFCD, the wetland system in So Lo Pun including the intertidal habitats with mangrove and seagrass bed, reed pond, a natural stream identified as EIS and the freshwater marsh are of ecological importance. A relatively high diversity of fish and a number of species of conservation interest including water fern *Ceratopteris thalictroides* (水蕨), seagrass *Zostera japonica* (矮大葉藻) and a bat species *Tylonycteris robustula* (褐扁顛蝠), as well as the uncommon dragonfly *Orthetrum poecilops poecilops* (班灰蜻) and a fish species *Oryzias curvinotus* (弓背青鱗) have been recorded in the wetland complex. According to the available information, the So Lo Pun EIS and its adjoining freshwater marsh is one of the remaining habitats in Hong Kong that support a healthy and natural population of *Oryzias curvinotus* (弓背青鱗). In addition, the water fern *Ceratopteris thalictroides* (水蕨), which is a protected plant in China, has been recorded throughout the marsh. Development that may adversely affect the rural character and the ecologically sensitive areas will not be recommended.

7.2.4 Landscape Character

With reference to the Landscape Value Mapping of Hong Kong (2005), the Area is situated in an enclosed, remote, tranquil, harmonious and pleasant rural landscape character area of rich landscape resources, including scrub and woodland, wide stream, pond, wetland, marshes, coastal features, abandoned field and abandoned village. The Area is rated with "High (qualified)" landscape value. No large-scale development should be introduced in order to minimize encroachment onto the sensitive environment and to protect and enhance ecological conservation.

7.2.5 Burial Grounds

A large piece of burial grounds is found at the eastern part of the Area near Kat O Hoi and is not suitable for any development.

7.2.6 Sewerage

There is no existing public sewer nor any committed/planned sewerage project planned for the Area. At present, on-site discharge system such as septic tanks and soakaway pits are generally used in traditional villages. They would only satisfy the requirements of individual lots. Any increase in population or number of visitors to the Area or further recreation/residential developments will require additional facilities.

7.2.7 Infrastructure and Utility Services

There are no electricity, drainage systems, and potable water supply in the Area nor committed/ planned drainage and water supply projects for the Area.

8. GENERAL PLANNING INTENTION

- 8.1 The Area forms an integral part of the natural system of the natural woodlands in the adjoining Plover Cove Country Park with a wide spectrum of natural habitats including, inter alia, woodland, hillside shrubland, mangrove, reedpond, freshwater marshes and an ecologically important stream which support some rare/uncommon flora and fauna of the Area and should be preserved and protected. The general planning intention of the Area is to protect its high conservation and landscape value which complements the overall naturalness and the landscape beauty of the surrounding Plover Cove Country Park.
- 8.2 Apart from the environmental and ecological considerations, development in the Area is constrained by limited transport and infrastructural provisions. It is also intended to consolidate village so as to avoid undesirable disturbances to the natural environment and overtaxing the limited infrastructure in the Area.

9. LAND-USE ZONINGS

9.1 "Village Type Development" ("V") : Total Area 2.52 ha

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

- 9.1.2 The boundaries of the "V" zone are drawn up having regard to the village 'environs', the number of outstanding Small House applications, Small House demand forecast, local topography and site constraints. Areas of difficult terrain, dense vegetation, stream courses and burial grounds have been avoided as far as possible. So Lo Pun Village is a recognized village and the only village in the Area.
- 9.1.3 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 first publication in the Gazette of the notice of the draft DPA plan, whichever is the greater. Application for minor relaxation of these restrictions would be considered by the Board based on individual merits, taking into account site constraints, innovative architectural design and planning merits that would enhance the amenity of the locality.
- 9.1.4 Some areas zoned "V" are adjacent to steep natural terrain and may be affected by natural terrain hazards. Any development within the steep natural terrain may be required to carry out a natural terrain hazard study and provision of necessary hazard mitigation measures.
- 9.1.5 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 AFCD and relevant authorities and incorporate relevant comments/advice as conditions of approval wherever possible. Accordingly, Lands Department when processing Small House grant and applications in close proximity to existing stream courses, should consult concerned departments including AFCD and Plan Department (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.
- 9.1.6 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.

9.2 “Green Belt” (“GB”) : Total Area 17.15 ha

- 9.2.1 The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.
- 9.2.2 The sites zoned “GB” include the vegetated hillslopes which form a continuous stretch of well-established vegetation of the natural woodlands in the adjoining Plover Cove Country Park. These “GB” zones are generally covered by natural vegetation, woodland, hillside shrubland and grassland, fallow agricultural land and small natural streams and provide a buffer between the development and conservation areas or Country Park area.
- 9.2.3 There is a traditional burial ground at the eastern part of the hillslopes within this zone. It has been in existence for many years, which are considered as an existing use and intended for burial places of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities within this zone are generally tolerated.
- 9.2.4 There is a general presumption against development within this zone. Development in this zone will be strictly controlled. Development proposals will be considered by the Board on individual merits taking into account the relevant Town Planning Board Guidelines.
- 9.2.5 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.

9.3 “Conservation Area” (“CA”) : Total Area 8.01 ha

- 9.3.1 This zoning is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.

- 9.3.2 The "CA" zoning covers the wetland system in So Lo Pun including the intertidal habitats with mangrove and seagrass bed, reed pond, a natural stream identified as EIS and the freshwater marsh which are of ecological importance. A relatively high diversity of fish and a number of species of conservation interest including water fern *Ceratopteris thalictroides* (水蕨), seagrass *Zostera japonica* (矮大葉藻) and a bat species *Tylonycteris robustula* (褐扁顛蝠), as well as the uncommon dragonfly *Orthetrum poecilops poecilops* (班灰蜻) and a fish species *Oryzias curvinotus* (弓背青鱗) have been recorded in the wetland complex. According to the available information, the So Lo Pun EIS and its adjoining freshwater marsh is one of the remaining habitats in Hong Kong that support a healthy and natural population of *Oryzias curvinotus* (弓背青鱗). In addition, the water fern *Ceratopteris thalictroides* (水蕨), which is a protected plant in China, has been recorded throughout the marsh. It is intended that with stringent planning control imposed under this zoning, the rich ecological and biological features in the areas can be protected and preserved.
- 9.3.3 New residential development is not permitted under this zone. Redevelopment of existing houses may be permitted on application to the Board. The redevelopment of existing houses 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 DPA Plan.
- 9.3.4 Diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activities.

10. COMMUNICATIONS

Road/Transport Network

There is no existing road network serving the Area. It is accessible by walking trails leading to Lai Chi Wo and Yung Shue Au. An existing pier is also found at the north of the site. There is no planned road network in the Area.

11. UTILITY SERVICES/INFRASTRUCTURAL PROVISIONS

- 11.1 There are currently no electricity, sewerage and drainage systems, and potable water supply in the Area. There is no any committed/proposed sewerage or drainage projects planned for the Area.
- 11.2 According to China Light Power (CLP), CLP would install electricity supply facilities at the Area by means of overhead lines, underground cables and pole mount transformers in the Area.

- 11.3 According to the Study on the Enhancement of the Sha Tau Kok Rural Township and Surrounding Areas – Feasibility Study, a mobile toilet is proposed to be built at the north-east part of the Area which would be replaced by permanent one in long term if water supply will be available and also subject to resource availability. Information boards would also be installed in the area near the pier in close proximity to the Area.

12. IMPLEMENTATION

- 12.1 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.
- 12.2 At present there is no overall programme for the provision of infrastructure within the Area. The implementation process will be gradual and may stretch over a long period of time depending on the availability of resources. It will be undertaken through the participation of both the public and private sectors.
- 12.3 Notwithstanding the above, minor improvement works, e.g. access improvement and laying of utility services will be implemented through the Public Works Programme and the Rural Public Works subject to priority and resource availability. Private developments will be effected principally through private sector initiatives in accordance with the zoned uses indicated on the Plan, provided that their proposals meet Government requirements.

13. PLANNING CONTROL

- 13.1 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.
- 13.2 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 impacts on the environment, drainage and traffic of the Area. Although no action is required to make such use conform to this Plan, any material change of such use or any other development (except minor alteration and/or modification to the development of the land or building in respect of such use which is always permitted) must be always permitted in terms of the Plan or, if permission is required, in accordance with a permission granted by the Board. The Board will consider these applications on their individual merits. Those alteration and/or modification works which may lead to an environmental improvement or upgrading to the Area may be considered favourably by the Board.

- 13.3 Planning applications to the Board will be assessed on individual merits. In general, the Board, in considering the planning applications, will take into account all relevant planning considerations including guidelines published by the Board. Guidelines published by the Board are available from the Board's website, the Secretariat of the Board and the Technical Services Division of the Planning Department. Application forms and Guidance Notes for planning applications can be downloaded from the Board's website, and are available from the Secretariat of the Board, and the Technical Services Division and the relevant District Planning Office of the Planning Department. Applications should be supported by such materials as the Board thinks appropriate to enable it to consider the applications.
- 13.4 Any development, other than those referred to in paragraph 13.1 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 diversion of streams, filling of land/pond and excavation of land 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".

TOWN PLANNING BOARD
APRIL 2013

PLANNING REPORT ON SO LO PUN



PLANNING REPORT ON SO LO PUN

April 2013

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1. INTRODUCTION

1.1. Purpose of the Planning Report

The purpose of this Planning Report is to give an account of the background and an appraisal of the existing conditions, characteristics and development requirements of the So Lo Pun area (the Area). It also aims at providing a basis for the preparation of an Outline Zoning Plan (OZP) for the Area and the formulation of a planning framework to guide future development.

1.2. Background

1.2.1. The Area is located in the coastal area of Sha Tau Kok East and is encircled by the Plover Cove Country Park on three sides, and fronts the scenic coastline of Kat O Hoi to the north-east (**Figure 1**). Being renowned for its scenic and unspoiled natural environment, the Area is also one of the popular hiking attractions in the territory. The Area is largely natural in character with secondary woodland, hillside shrubland, abandoned agricultural land, stream, freshwater marshes and mangrove, mudflat, pond and seagrass bed, and is accessible through the existing footpaths or by boats. So Lo Pun Village is the only recognised village in the Area.

1.2.2. The Area is of conservation interest as a number of rare and uncommon flora and fauna have been recorded in the Area. Given its remote location and lack of vehicular access, the Area has not been

subject to much development pressure or any development activities in the past years. However, excavation and suspected unauthorized tree felling and site formation works were detected in 2009, causing adverse impact to the landscape character of the Area. Under the power delegated by the Chief Executive, on 1.9.2010, the Secretary for Development directed the Town Planning Board (the Board) to prepare a draft plan designating the Area as a development permission area (DPA) plan.

1.2.3. The draft So Lo Pun DPA Plan No. DPA/NE-SLP/1 was exhibited for public inspection on 30.9.2011. During the plan exhibition period, a total of 14 representations and 5 comments were received. After giving consideration to the representations and comments on 8.4.2011, the Board decided not to propose any amendment to the draft DPA plan to meet the representations.

1.2.4. On 8.11.2011, the Chief Executive in Council (CE in C) approved the draft So Lo Pun DPA Plan, which was subsequently renumbered as DPA/NE-SLP/2 (**Figure 2**). On 18.11.2011, the approved So Lo Pun DPA Plan No. DPA/NE-SLP/2 was exhibited for public inspection under section 9(5) of the Town Planning Ordinance (the Ordinance).

1.2.5. Pursuant to section 20(5) of the Ordinance, the DPA Plan is effective for three years until 30.9.2013. On 11.1.2013, the Chief Executive, pursuant to section 3(1)(a) of the Ordinance, directed the Board to prepare an OZP for the Area.

2. THE STUDY AREA

2.1. Location

The Area covers about 27.68 ha of land. It is encircled by the Plover Cove Country Park on three sides and fronts the scenic coastline of Kat O Hoi to the north-east. The location of the Area is shown in **Figure 3**.

2.2. Natural Features

Physical Setting and Topography (Figures 4 and 5a)

2.2.1. An overview of the Area is shown in **Figure 4**. The Area consists of a long stretch of level land extending from Kat O Hoi in the north and reaching inland in a southwest direction. There are vegetated hillslopes to its north, west and south. The hillslopes in the north-east fall within the boundary of a permitted burial ground. Fallow agricultural land in lower slopes and at lowland is mainly covered with grass and shrubs. Some freshwater marshes are evolved from abandoned wet agricultural fields at the flat land in the central part of the Area which are covered by wet vegetation and shrubs. Estuarine mangrove/mudflat habitat are found on the seaward side of the Area along the coastline of Kat O Hoi. A pond fringed by reeds are found to the south-west of the estuarine mangrove.

Natural Habitats (Figures 5b – 5f)

2.2.2. The Area forms an integral part of the natural system of the natural woodlands in the adjoining Plover Cove Country Park with a wide spectrum of natural habitats including watercourses (i.e. the So Lo Pun Ecologically Important Stream (EIS) and associated streamcourses), estuarine mangrove/mudflat, seagrass bed, reedponds, natural woodland, hillside shrubland, fallow agricultural land, and freshwater marshes. According to AFCD, the wetland system in So Lo Pun including the intertidal habitats with mangrove and seagrass bed, reed pond, a natural stream identified as EIS and the freshwater marsh are of ecological importance. A relatively high diversity of fish and a number of species of conservation interest including water fern *Ceratopteris thalictroides* (水蕨), seagrass *Zostera japonica* (矮大葉藻) and a bat species *Tylonycteris robustula* (褐扁顛蝠), as well as the uncommon dragonfly *Orthetrum poecilops poecilops* (班灰蜻) and a fish species *Oryzias curvinotus* (弓背青鱗) have been recorded in the wetland complex. According to the available information, the So Lo Pun EIS and its adjoining freshwater marsh is one of the remaining habitats in Hong Kong that support a healthy and natural population of *Oryzias curvinotus* (弓背青鱗). In addition, the water fern *Ceratopteris thalictroides* (水蕨), which is a protected plant in China, has been recorded throughout the marsh. Details of the natural habitats are listed below:

(a) Fallow agricultural land

Fallow agricultural land is found mainly in lower slopes along the flat land in the central part of the Area and is currently covered with grass and shrubs. Some freshwater marshes are evolved from abandoned wet agricultural fields which are currently covered with wetland vegetation and some shrubs. A rare plant, *Ceratopteris thalictroides* (水蕨) and rice fish were previously recorded in the marshes.

(b) Woodland/shrubland

- (i) The southern, western and northern parts of the Area are mainly covered by woodland and shrubland. The wooded areas along the hillsides form a continuous stretch of well-established vegetation with those located at the adjacent Plover Cove Country Park and are ecologically linked to the wide stretch of woodlands in the Plover Cove Country Park.
- (ii) The secondary forest has a very rich floristic composition. Two protected species, the fern *Cibotium barometz* (金毛狗) and the tree *Aquilaria sinensis* (土沉香), were recorded in the forest.

(c) Stream Course

A natural stream flows across the Area in the south-west to north-east direction, the downstream part of which is identified by the Agriculture, Fisheries and Conservation Department (AFCD) as EIS (about 720m).

(d) Mangrove/Marsh

Estuarine mangrove/mudflat habitats are found on the seaward side of the Area along the coastline of Kat O Hoi. A pond fringed by reeds are found to the south-west of the estuarine mangrove. A rare plant *Ceratopteris thalictroides* (水蕨), and seagrass *Zostera japonica* (矮大葉藻) are found in these wetland habitats. The wetland system, including the reedpond and other wetland habitats therein, is ecologically important.

2.3. Historical Development

So Lo Pun Village is a village in northern New Territories. It was once the home of generations of the Wong family. Today, the village is now derelict and is uninhabited. There is no declared monument, graded historic building and a site of archaeological interest in the area.

2.4. Population and Employment

According to the 2011 Census, there is no population in the Area. No employment is also recorded in the Area.

Considerable amount of agricultural land has been lying fallow covered with shrubs and grassland.

2.5. Existing Land Uses (Figures 6a – 6d)

The Area comprises mainly abandoned village houses, shrubland, woodland, grassland, fallow agricultural land, marshes and stream. The major existing land uses include the followings:

Village Type Development

2.5.1. So Lo Pun Village is the only recognized village in the Area which is currently uninhabited. Village developments are mainly concentrated on the lower hillslopes in the northern part of the Area. Most of the village houses have become ruins, except a few one to two-storey houses which are in dilapidated condition and left vacant.

2.5.2. According to District Land Officer/North (DLO/N), there is no approved nor outstanding Small House applications for So Lo Pun Village. However, the 10-year (2011 – 2020) Small House demand forecast for So Lo Pun Village, as provided by the Indigenous Village Representative of the village, is 270 (Table 1).

Burial Grounds

2.5.3. A large piece of burial grounds found at the eastern part of the Area near Kat O Hoi (Figure 7).

2.6. Land Ownership

Slightly over half of land in the Area (about 50.72%) is private land comprising mainly the lower slopes and flatlands throughout the whole stretch of the Area, and the remaining 49.28% is government land located at the periphery (Figure 7).

2.7. Transportation (Figure 8)

The Area is currently not served by any road. It is accessible by maintained paths leading to Lai Chi Wo and Yung Shue Au. An existing pier is also found at the north of the site.

2.8. Infrastructure and Utility Services

There are no electricity, sewerage and drainage systems, and potable water supply in the Area.

3. PLANNING ANALYSIS

3.1. Strategic and Planning Contexts

3.1.1. The Area is situated in a valley occupied by a stream, part of which is listed as an EIS, in the centre with scrub and natural woodland at both sides. Scattered village houses lie at the north side of the valley. Given the natural environment with high ecological value coupled with its inaccessibility due to lack of vehicular access, the planning framework for the Area should

fundamentally be the preservation of the natural environment and its natural resources. No large-scale development should be introduced in order to minimize encroachment onto the sensitive environment and to protect and conserve the Area.

3.1.2. The Area falls within part of the Linkage Area of the “Study on the Enhancement of the Sha Tau Kok Rural Township and Surrounding Areas – Feasibility Study” (the STK Study) commenced in 2010. The STK Study recommends an integrated area improvement plan for Sha Tau Kok Area and its surrounding areas. One of the major objectives of the Study is to keep the natural landscape intact and untouched and preserve the sensitive natural environment as much as possible in most of the Linkage Area. Hence development with relative higher degree of disturbance (e.g. proposed local improvement works and tourism-related facilities) would only be proposed to be located at the area with relatively lower environmentally sensitive areas. Majority of the Area is proposed to be preserved to protect the sensitive natural environment.

3.1.3. With reference to the Landscape Value Mapping of Hong Kong (2005), the Area is situated in an enclosed, remote, tranquil, harmonious and pleasant rural landscape character area of rich landscape resources, including scrub and woodland, wide stream, pond, wetland, marshes, coastal features, abandoned field and abandoned village. The Area is rated with “High (qualified)”

landscape value.

3.2. Environmental and Conservation Considerations (Figure 9)

3.2.1 Although part of the Area, including the So Lo Pun EIS previously recorded with relatively high diversity of fish (26 species), was adversely affected by unauthorized human activities since 2008, it is of good potential for restoration. In general, the site and its adjacent Plover Cove Country Park are largely natural in character and is worthy for protection from a nature conservation point of view.

3.2.2 The Area, consisting of a long stretch of level land extending from Kat O Hoi in the north and reaching inland in a southwest direction, comprises a mixture of habitats including watercourses (i.e. the So Lo Pun EIS and associated streamcourses), estuarine mangrove/mudflat, seagrass bed, woodlands and freshwater marshes which not only offers a unique geographical setting, but also support some rare and uncommon flora and fauna.

3.3. Development Constraints (Figure 10)

Transportation (Road Access)

3.3.1. No proper vehicular access is available except the footpaths and hiking trails mainly in lower slopes and flatlands connecting to Kuk Po, Fung Hang, Wu Kau Tang and Lai Chi Wo. The Area can also be accessed by boat through a jetty at Kat O Hoi.

Geotechnical

- 3.3.2. Land to the north, west and south of the Area are bounded by steep natural hillslopes, and may be affected by potential natural terrain landslide hazards. For new development in these areas, natural terrain hazard study would be required and suitable mitigation measures should be provided, if necessary, as part of the development or re-development.

Ecological Significance

- 3.3.3 Based on the available ecological information, most of the species recorded at the Area are common and widespread but a number of species of conservation interest have been recorded in the Area. A relatively high diversity of fish and a number of species of conservation interest including water fern *Ceratopteris thalictroides* (水蕨), seagrass *Zostera japonica* (矮大葉藻) and a bat species *Tylonycteris robustula* (褐扁顛蝠), as well as the uncommon dragonfly *Orthetrum poecilops poecilops* (班灰蜻) and a fish species *Oryzias curvinotus* (弓背青鱗) have been recorded in the wetland complex. According to the available information, the So Lo Pun EIS and its adjoining freshwater marsh is one of the remaining habitats in Hong Kong that support a healthy and natural population of *Oryzias curvinotus* (弓背青鱗). In addition, the water fern *Ceratopteris thalictroides*

(水蕨), which is a protected plant in China, has been recorded throughout the marsh. Development that may adversely affect the rural character and the ecologically and environmentally sensitive areas will not be recommended.

Landscape Character

- 3.3.4 With reference to the Landscape Value Mapping of Hong Kong (2005), the Area is rated with "High (qualified)" landscape value. No large-scale development should be introduced in order to minimize encroachment onto the sensitive environment and to protect and enhance ecological conservation.

Burial Grounds

- 3.3.5 A large piece of burial grounds is found at the eastern part of the Area near Kat O Hoi and is not suitable for any development.

Sewerage

- 3.3.6 There is no existing public sewer nor any committed/planned sewerage project planned for the Area. At present, on-site discharge system such as septic tanks and soakaway pits are generally used in traditional villages. They would only satisfy the requirements of individual lots. Any increase in population or number of visitors to the Area or further recreation/residential developments will require additional facilities.

Other Infrastructure and Utility services

- 3.3.7 There are no electricity, drainage systems, and potable water supply in the Area nor committed/ planned drainage and water supply projects for the Area.

3.4. Development Opportunities*Conservation Potential*

- 3.4.1. The Area not only offers a unique geographical setting, but also is an integral part of the landscaped terrain and comprises a diversity of habitats including woodland, hillsides shrubland, abandoned agricultural land, stream, freshwater marsh, mangrove and an EIS which support some rare and uncommon flora and fauna. With its high quality landscape and great variety of natural habitats, the Area is worthy of conservation.

Tourism Potential (Figure 8)

- 3.4.2. The Area is not considered as a popular hiking trail as compared to the adjacent Lai Chi Wo and Sam A Tsuen. It could be either accessible by boats via Sha Tau Kok pier or hiking trails from Kuk Po, Fung Hang or Wu Kau Tang connecting to Bride's Pool Road. Visitors' facilities including one information board and three waymarkers have been installed in the Area.

3.5. Development Pressure

- 3.5.1. Suspected illegal tree felling activities and illegal excavation on Government Land were detected in 2008 and 2010 respectively. No further report was received within the past 2 years (Figure 11).
- 3.5.2. The recognized village within the Area is So Lo Pun Village which is currently uninhabited and most of the village houses have become ruins. At present, there are no records of Small House development in the Area including applications to the Board under section 16 of the Ordinance or LandsD. However, the 10 year Small House demand forecast is about 270. Land should be reserved to meet the future demand of village house developments.

3.6. Development Proposals Received in the Course of Preparation of the Plan

- 3.6.1. Since the gazettal of the draft DPA Plan on 30.9.2010, no planning proposal or application has been received.
- 3.6.2 In the course of preparation of the Plan, some views/proposals were received from informal meetings/site visits with concerned parties:
- (a) Sha Tau Kok District Rural Committee (STKDRC) opined that the low density village house development with eco tourism should be the main theme for future land use planning.

However, the conservation zoning is not supported as majority of the land are under private ownership and the area is predominantly occupied by fallow agricultural land without dense/mature woodland. The area of the future "Village Type Development" ("V") zone should be able to accommodate the 10-year Small House demand forecast.

- (b) Local and environmental concerned groups suggested that the future OZP should focus on conservation and the proposed "V" zone should be confined to the existing ruins of structures and its surrounding areas while the ecologically sensitive areas should be preserved and protected. Also, conservation zonings such as "Conservation Area" ("CA") and "Coastal Protection Area" ("CPA") are preferred for the secondary woodland extending from the Country Parks, natural streams and coastal areas including the mangrove/freshwater marshes thereat. Adequate buffer zones should also be provided on both sides of natural streams, and EIS where no development should be allowed.
- (c) Kadoorie Farm and Botanic Garden (KFBG) submitted an Ecological Note on So Lo Pun to PlanD to facilitate the preparation of the OZP. The Note recommends that the woodland, the freshwater marshes in the flat area of the valley and the stream courses should be zoned "CA" and the ponds at the coastal area should be zoned "CA" or "CPA" since many species of conservation importance were recorded in

these habitats, and that the conservation importance of So Lo Pun is very high and thus it should be eventually incorporated into the Country Park system where it would receive the appropriate protection.

4. PLANNING PROPOSALS

4.1. The Outline Zoning Plan

The draft So Lo Pun OZP (the Plan) prepared under section 3(1) of the Ordinance is to provide a statutory basis for planning control over the Area. It will supersede the approved So Lo Pun DPA Plan No. DPA/NE-SLP/2, which was exhibited for public inspection under section 9(5) of the Ordinance on 18.11.2011. Uses and development that are always permitted and those for which the Board's permission must be sought in various 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 the Board for various land-use zonings.

4.2. Planning Objectives

4.2.1. The development of the Area should gear towards the following objectives:

- (a) to provide a comprehensive planning framework to guide the development on an integrated and coordinated basis;

- (b) to conserve the Area's outstanding natural landscape and ecological value in safeguarding the natural habitat and natural system of the wider area; and
- (c) to preserve the natural and rural character of the Area.

4.3. Planning Principles

4.3.1. The main planning principles below are adopted for preparation of the planning and development proposals of the Area:

- (a) The Area forms an integral part of the natural system of the natural woodlands in the adjoining Plover Cove Country Park with a wide spectrum of natural habitats including, inter alia, mature woodland, hillside shrubland, freshwater marsh and mangrove and an ecologically important stream which support some rare/uncommon flora and fauna of the Area and should be preserved and protected.
- (b) Small House development in recognized villages will be consolidated at suitable locations so as to preserve the rural character of the Area. Future development and redevelopment should also demonstrate such a low-rise characteristic and not to overtax the limited infrastructure.

4.4. Land Use Proposals (Figure 12)

4.4.1. In the designation of various land use zones in the Area, consideration has been given to the natural environment, physical landform, existing land use pattern, demand for Small Houses and availability of infrastructure. It also takes into account the recommendations of the STK Study and other relevant studies on land use development options and infrastructure provisions affecting the Area. The following land use zones are proposed to be designated on the Plan.

4.4.2. Village Type Development (2.52 ha or 9.1%)

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

- (b) So Lo Pun Village is the only recognized

village in the Area. The “V” zone is drawn up having regard to the “village environs”, the local topography, the existing settlement pattern, site constraints, the estimated Small House demand, and provision of infrastructural facilities. Areas of difficult terrain, potential natural terrain hazards, dense vegetation, conservation and ecological value, burial grounds are excluded.

- (c) The latest information on the 10-year forecast for Small House demand has been obtained from the DLO/N. DLO/N has advised that according to the Indigenous Village Representative of So Lo Pun Village, the 10-year forecast for Small House demand (2011-2020) for So Lo Pun area is 270 (as compared to the previous figure of 230¹). However, DLO/N has confirmed that there is neither outstanding nor approved Small House application in respect of So Lo Pun. Based on PlanD's preliminary estimate, the total land required for meeting the Small House demand of 270 is about 6.75 ha.
- (d) With reference to the Small House demand and ‘VE’ for the recognized village as enumerated above, PlanD has analyzed the conditions of the area within ‘VE’ taking account of the existing village cluster, environmental

conditions and natural terrain and topography of the area. It should be noted that the So Lo Pun Village is mainly concentrated on the lower hillslopes in the north part of the Area. Land within the ‘VE’ at the central part of the Area comprises not only existing village clusters and ruin structures of So Lo Pun Village, but also some hilly slopes in the north with some fallow agricultural land and fresh water marshes at the centre and a stream course in the south. Throughout the plan-making process, concerned departments have been closely liaised to ensure their input and comments be duly taken into account in the delineation of the “V” zone for the existing village cluster and potential areas for village expansion.

- (e) According to the 2011 Census, there is no population in the Area. Moreover, there is neither planning proposal/application received since the gazettal of the draft DPA Plan nor outstanding Small House application in respect of So Lo Pun. Given the natural environment with high conservation and landscape value coupled with its inaccessibility due to lack of vehicular access, an incremental approach for designation of “V” zone for Small House development has been adopted with an aim to consolidating Small House development at suitable locations so as to avoid undesirable disturbances to the natural environment and overtaxing the limited infrastructure in the Area. The surrounding woodland and the freshwater marshes with the stream at the central and

¹ According to DLO/N in Sept 2010, the 10-year forecast for Small House demand (2010-2019) for So Lo Pun area is 230.

southern part of the Area are hence suggested to be protected. Thus, about 2.5 ha of land mainly comprising the existing village settlements and cluster with its surrounding areas have been reserved for Small House development. Within the proposed “V” zone, about 1.73 ha of land is available (or equivalent to about 69 Small House sites) (Table 1). Although there is insufficient land to meet the 10-year Small House demand (deficit of about 5.02 ha of land or equivalent to about 200 Small House sites), this figure has not been verified. Besides, planning application provides another measure for the villagers to apply for Small House development subject to the Board’s approval.

- (f) With reference to the concern on potential impacts of developments in particular Small Houses within “V” zones 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 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.

- (g) Some areas zoned “V” are adjacent to steep natural terrain and may be affected by natural terrain hazards. Besides, development for ‘Hotel (Holiday House only)’, which is a Column 2 use under the “V” zone, may be permitted on application to the Board. Any development within the steep natural terrain may be required to carry out a natural terrain hazard study and provision of necessary hazard mitigation measures.
- (h) 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 first publication in the Gazette of the notice of the draft DPA plan, whichever is the greater.
- (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 works and related activities except public works co-ordinated or implemented by government, and maintenance, repair or rebuilding works.

4.4.3. Green Belt ("GB") (17.15 ha or 61.96%)

- (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) The sites zoned "GB" include the vegetated hillslopes which form a continuous stretch of well-established vegetation of the natural woodlands in the adjoining Plover Cove Country Park. These "GB" zones are generally covered by natural vegetation, woodland, hillside shrubland and grassland, fallow agricultural land, and small natural streams and provide a buffer between the development and conservation areas or Country Park area.
- (c) There is a permitted burial ground at the eastern part of the hillslopes within this zone. It has been in existence for many years, which is considered as an existing use and intended

for burial places of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities within this zone are generally tolerated. The District Office (DO) is delegated with authority under the Public Health and Municipal Services Ordinance (Cap 132) to approve burial grounds outside gazetted cemeteries. Burial activities should be approved by DO and confined within the designated grounds and any encroachments onto the natural areas should be avoided.

- (d) There is a general presumption against development within this zone. Development in this zone will be strictly controlled. Development proposals will be considered by the Board on individual merits taking into account the relevant Town Planning Board Guidelines.
- (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 works and related activities except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works.

4.4.4. Conservation Area (8.01 ha or 28.94%)

- (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 such as Country Park from the adverse effects of development. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.
- (b) The "CA" zoning covers the wetland system in So Lo Pun including the intertidal habitats with mangrove and seagrass bed, reed pond, a natural stream identified as EIS and the freshwater marsh which are of ecological importance. A relatively high diversity of fish and a number of species of conservation interest including water fern *Ceratopteris thalictroides* (水蕨), seagrass *Zostera japonica* (矮大葉藻) and a bat species *Tylonycteris robustula* (褐扁顱蝠), as well as the uncommon dragonfly *Orthetrum poecilops poecilops* (班灰蜻) and a fish species *Oryzias curvinotus* (弓背青鱗) have been recorded in the wetland complex. According to the available information, the So Lo Pun EIS and its adjoining freshwater marsh is one of the remaining habitats in Hong Kong that support a healthy and natural population of *Oryzias curvinotus* (弓背青鱗). In addition, the water fern *Ceratopteris thalictroides* (水蕨), which is a protected plant in China, has been recorded throughout the marsh. It is intended that with stringent planning control imposed under this zoning, the rich ecological and biological features in the areas can be protected and preserved.
- (c) New residential development is not permitted under this zone. Redevelopment of existing houses may be permitted on application to the Board. The redevelopment of existing houses 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 DPA Plan.
- (d) Works relating to diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activities.

5. IMPLEMENTATION

Infrastructural Provisions

- 5.1. There are currently no electricity, sewerage and drainage systems, and potable water supply in the Area. As per relevant departments, no any committed/proposed sewerage and drainage projects planned for the Area. Besides, it is not within water supply zone, thus metered supply would not be provided to the Area.
- 5.2. According to China Light Power (CLP), CLP would install electricity supply facilities at the Area by means of overhead lines, underground cables and pole mount transformers in the Area.
- 5.3. According to the STK Study, a mobile toilet is proposed to be built at the north-east part of the Area which would be replaced by permanent one in long term if water supply will be available and also subject to resource availability. Information boards would also be installed in the area near the pier in close proximity to the Area.

Statutory Development Control

- 5.4. The OZP provides a broad land-use framework for development control and implementation of planning proposals for the Area. More detailed plans will be prepared DPA Plan 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. All uses directly related and ancillary to the permitted developments and uses are also

permitted.

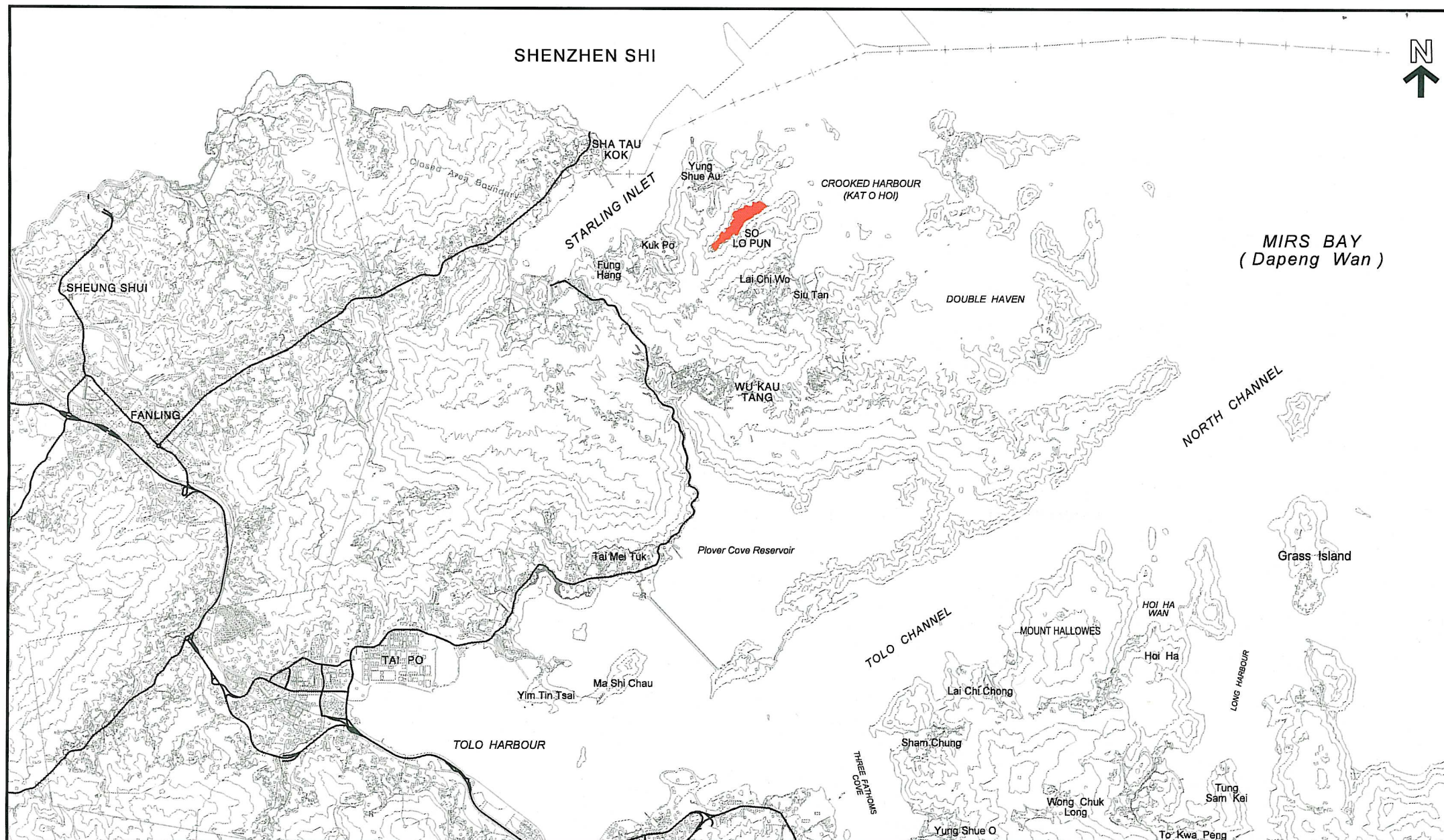
- 5.5. At present, there is no overall programme for the provision of infrastructure within the Area. The implementation process will be gradual and may stretch over a long period of time depending on the availability of resources. It will be undertaken through the participation of both public and private sectors.
- 5.6. Roads, utility services installation and public works projects will be implemented through the Public Works Programme, the Rural Public Works Programme, and Local Public Works Improvement Programme subject to priority and resource availability. Private developments will be effected principally through private sector initiatives in accordance with the zoned uses indicated on the OZP, provided that their proposals meet Government requirements.
- 5.7. 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 or after 30.9.2011 on land included in a plan of the Draft So Lo Pun DPA, may be subject to enforcement proceedings under the Ordinance.

PLANNING DPEARTMENT

April 2013

Table 1**Small House Demand for So Lo Pun Village**

	Small House Demand Figure in 2010		Small House Demand Figure in 2012		'VE' 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 (2010 – 2019)	Outstanding Demand	10-year forecast (2011 – 2020)					
So Lo Pun	-	230	-	270	8.58	1.73	6.75	1.73	25.64



 STUDY AREA

EXTRACT PLAN PREPARED ON 11.3.2013
BASED ON SURVEY SHEET SERIES HM100C

LOCATION PLAN SO LO PUN

SCALE 1 : 100 000

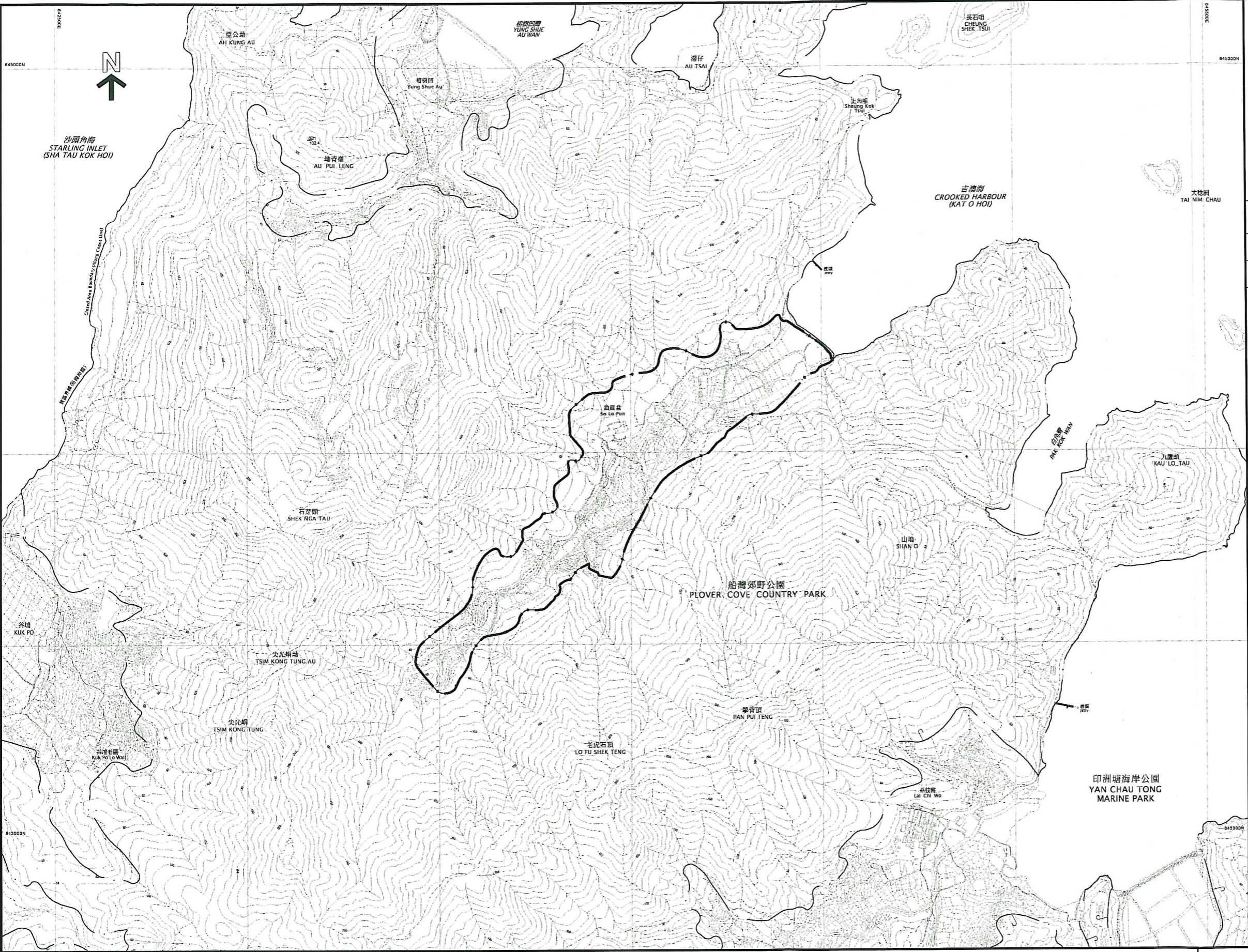
KILOMETRES 2 0 2 4 KILOMETRES

PLANNING
DEPARTMENT



REFERENCE No.
M/NP/SLP/12/1

FIGURE
1



圖例
NOTATION

MISCELLANEOUS		其他
BOUNDARY OF DEVELOPMENT PERMISSION AREA	— • —	發展會批地區界線
BOUNDARY OF COUNTRY PARK	— — —	郊野公園界線

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	%	
UNSPECIFIED USE	27.88	100.00	非指定用途
TOTAL AREA OF DEVELOPMENT PERMISSION AREA	27.88	100.00	發展會批地區總面積

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

SO LO PUN
DEVELOPMENT PERMISSION AREA PLAN

PLANNING DEPARTMENT

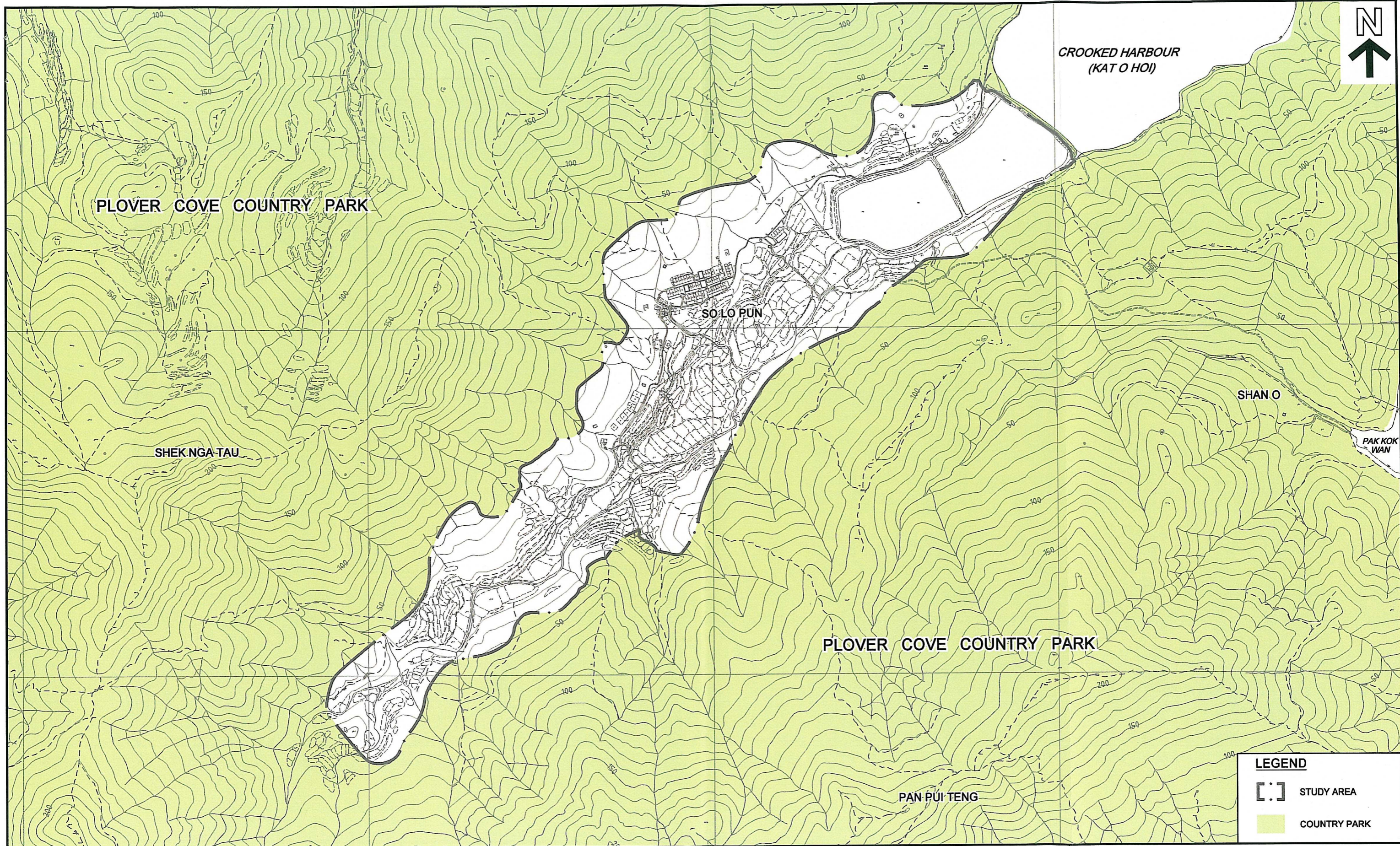


EXTRACT PLAN PREPARED ON 11.10.2012
BASED ON DEVELOPMENT PERMISSION
AREA PLAN No. DPA/NE-SLP/2 APPROVED ON 8.11.2011



REFERENCE No.
M/NP/SLP/12/1

FIGURE
2



LEGEND

- [] STUDY AREA
- COUNTRY PARK

STUDY AREA OF SO LO PUN

SO LO PUN

EXTRACT PLAN PREPARED ON 11.3.2013
BASED ON SURVEY SHEETS No. 3-NE-14D, 15C/D, 19B/D AND 20A/B/C/D

SCALE 1 : 5 000
METRES 100 0 100 200 METRES

PLANNING DEPARTMENT



REFERENCE No.
M/NP/SLP/12/1

FIGURE
3



AERIAL PHOTOS

SO LO PUN



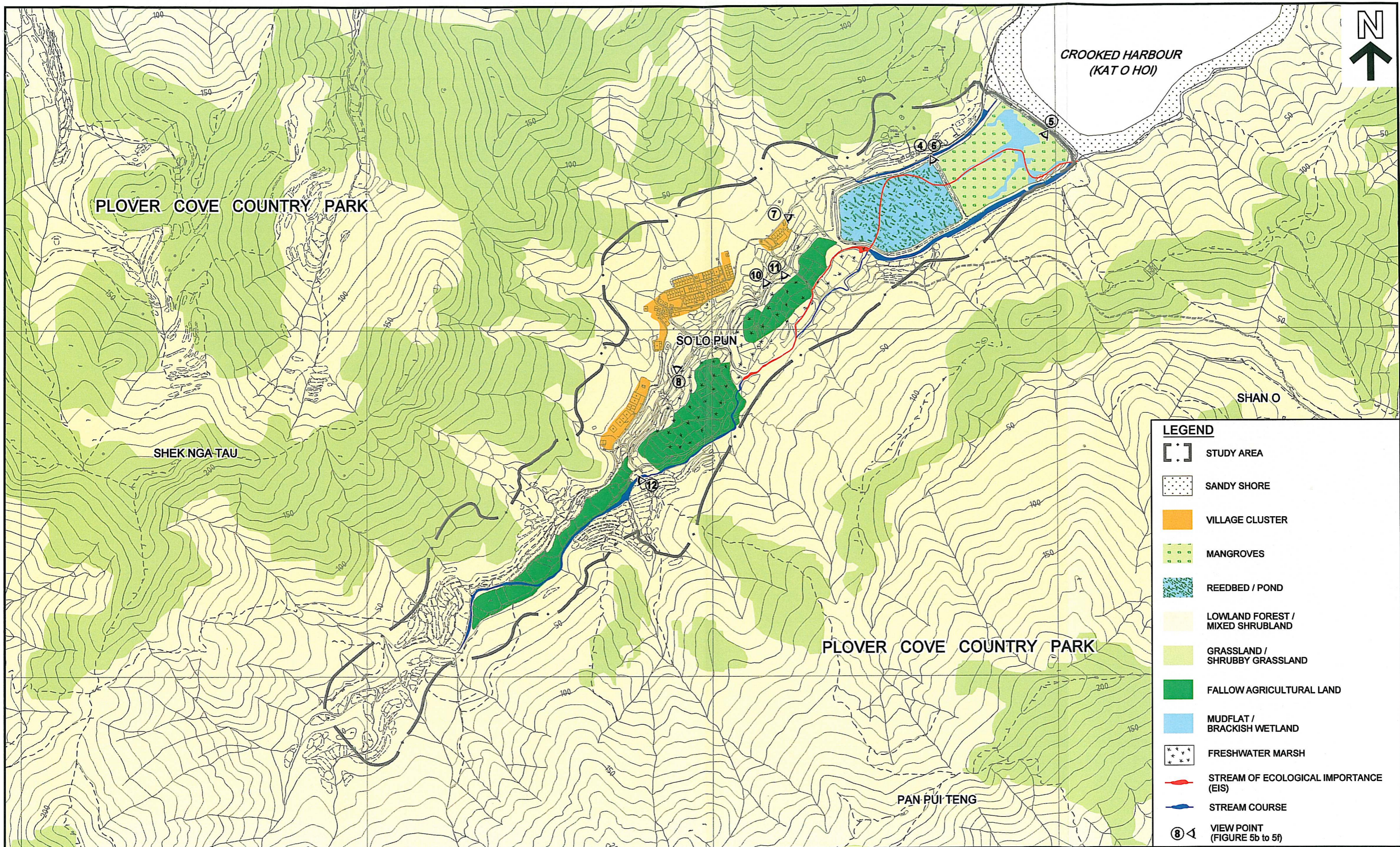
PLANNING DEPARTMENT



REFERENCE No.
M/NP/SLP/12/1

FIGURE
4

EXTRACT PLAN PREPARED ON 11.3.2013
BASED ON AERIAL PHOTOS No. CS33949-53, CS33980-84,
CS34005-09 AND CW90476 TAKEN ON 8.9.2011 BY LANDS DEPARTMENT



EXISTING PHYSICAL FEATURES

SO LO PUN

EXTRACT PLAN PREPARED ON 22.3.2013
BASED ON SURVEY SHEETS No. 3-NE-14D, 15C/D, 19B/D AND 20A/B/C/D

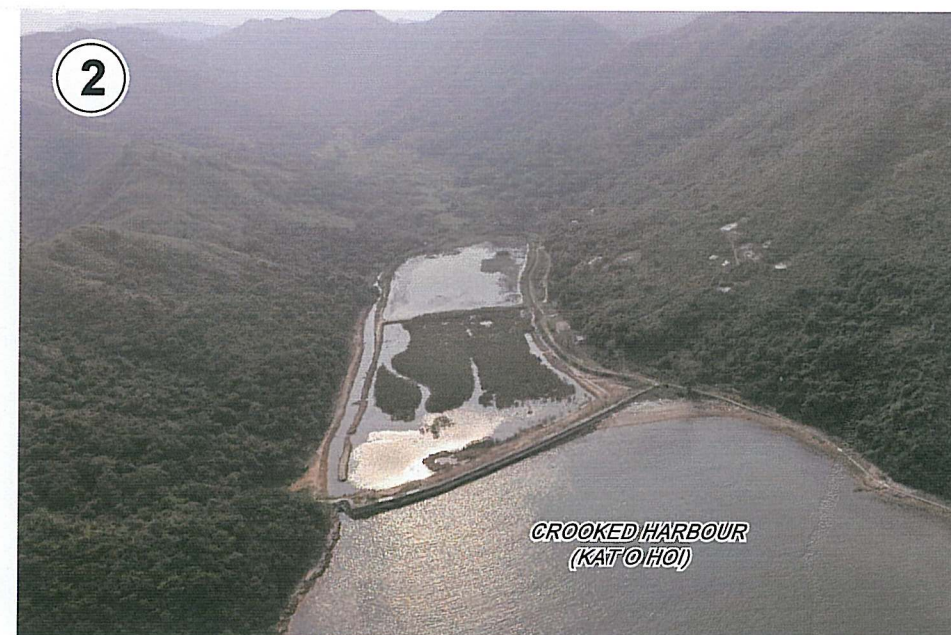
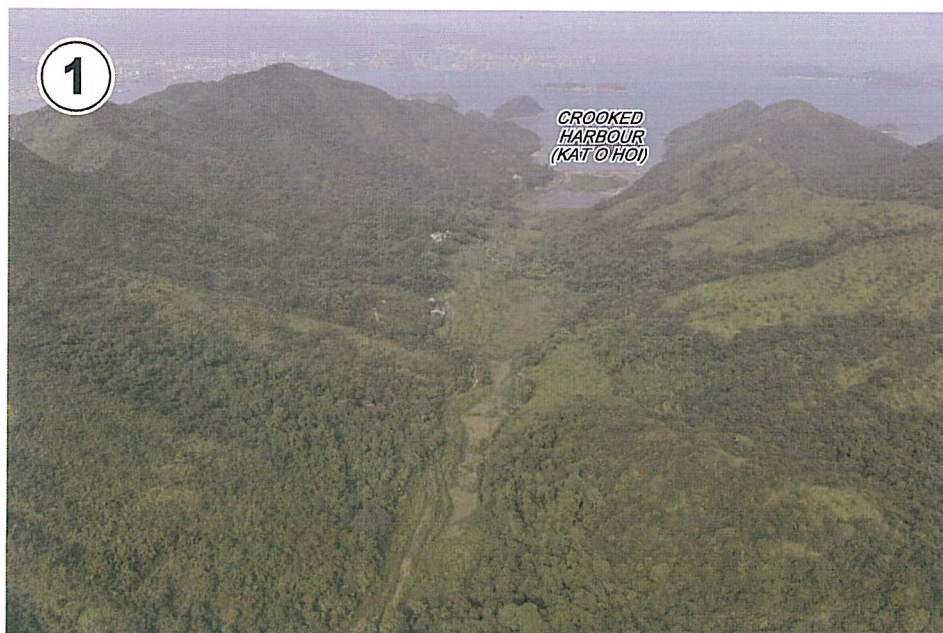
SCALE 1 : 5 000
METRES 100 0 100 200 METRES

PLANNING DEPARTMENT



REFERENCE No.
M/NP/SLP/12/1

FIGURE
5a



PHOTOS 1 & 2 TAKEN FROM HELICOPTER

OVERVIEW OF THE AREA

EXTRACT PLAN PREPARED ON
17.4.2013 BASED ON SITE PHOTOS
TAKEN ON 19.10.2011

SITE PHOTOS - EXISTING PHYSICAL FEATURES

SO LO PUN

PLANNING
DEPARTMENT



REFERENCE No.
M/NP/SLP/12/1

FIGURE
5b



*CROOKED HARBOUR
(KAT O HOI)*

PHOTO 3 TAKEN FROM HELICOPTER



ESTUARINE MANGROVE / REEDBEDS ALONG THE COASTLINE OF KAT O HOI

SITE PHOTOS - EXISTING PHYSICAL FEATURES

SO LO PUN

EXTRACT PLAN PREPARED ON
17.4.2013 BASED ON SITE PHOTOS TAKEN ON
3.10.2011, 19.10.2011 AND 31.10.2012

PLANNING
DEPARTMENT



REFERENCE No.
M/NP/SLP/12/1

FIGURE
5c



PHOTO 9 TAKEN FROM HELICOPTER

WOODLAND/SHRUBLAND AT THE NORTHERN, SOUTHERN AND
WESTERN PART OF THE AREA AND FALLOW AGRICULTURAL LAND MAINLY IN LOWER SLOPES

SITE PHOTOS - EXISTING PHYSICAL FEATURES

SO LO PUN

PLANNING
DEPARTMENT



REFERENCE No.
M/NP/SLP/12/1

FIGURE
5d

EXTRACT PLAN PREPARED ON
17.4.2013 BASED ON SITE PHOTOS
TAKEN ON 19.10.2011 AND 31.10.2012



FRESHWATER MARSHES AT THE CENTRAL PART OF SO LO PUN

SITE PHOTOS - EXISTING PHYSICAL FEATURES

SO LO PUN

PLANNING
DEPARTMENT



REFERENCE No.
M/NP/SLP/12/1

FIGURE
5e

EXTRACT PLAN PREPARED ON
17.4.2013 BASED ON SITE PHOTOS
TAKEN ON 31.10.2012



ECOLOGICALLY IMPORTANT STREAM IN THE AREA

SITE PHOTO - EXISTING PHYSICAL FEATURES

SO LO PUN

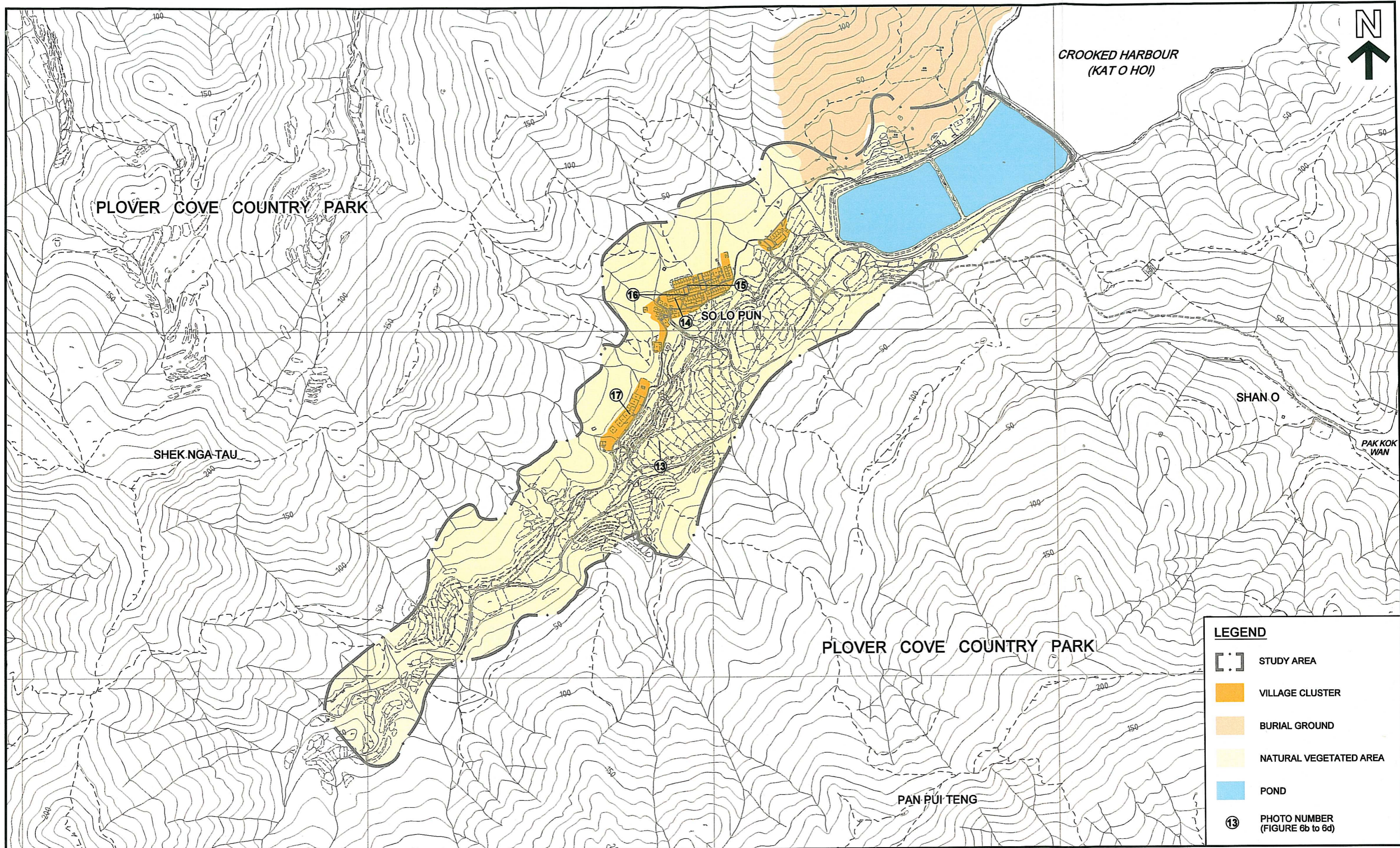
EXTRACT PLAN PREPARED ON
17.4.2013 BASED ON SITE PHOTO
TAKEN ON 31.10.2012

PLANNING
DEPARTMENT



REFERENCE No.
M/NP/SLP/12/1

FIGURE
5f



LEGEND

- [] STUDY AREA
- VILLAGE CLUSTER
- BURIAL GROUND
- NATURAL VEGETATED AREA
- POND
- ⑬ PHOTO NUMBER
(FIGURE 6b to 6d)

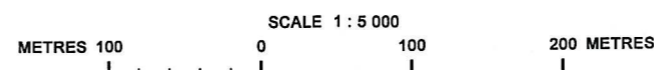
EXISTING LAND USES

SO LO PUN

PLANNING DEPARTMENT



EXTRACT PLAN PREPARED ON 15.3.2013
BASED ON SURVEY SHEETS No. 3-NE-14D, 15C/D, 19B/D AND 20A/B/C/D



REFERENCE No.
M/NP/SLP/12/1

FIGURE
6a

13



VILLAGE CLUSTERS MAINLY ON THE LOWER HILLSLOPES IN THE NORTHERN PART OF THE AREA

SITE PHOTO - EXISTING LAND USES

SO LO PUN

PLANNING
DEPARTMENT



REFERENCE No.
M/NP/SLP/12/1

FIGURE
6b

EXTRACT PLAN PREPARED ON
19.4.2013 BASED ON SITE PHOTO
TAKEN ON 6.10.2011



MOST OF THE VILLAGE HOUSES ARE IN RUINS AND DILAPIDATED CONDITIONS

SITE PHOTOS - EXISTING LAND USES

SO LO PUN

PLANNING
DEPARTMENT



REFERENCE No.
M/NP/SLP/12/1

FIGURE
6c

EXTRACT PLAN PREPARED ON
19.4.2013 BASED ON SITE PHOTOS
TAKEN ON 3.10.2011 AND 6.10.2012



PHOTO 18 TAKEN FROM HELICOPTER

BURIAL GROUNDS AT THE EASTERN PART OF THE AREA NEAR KAT O HOI

SITE PHOTO - EXISTING LAND USES

SO LO PUN

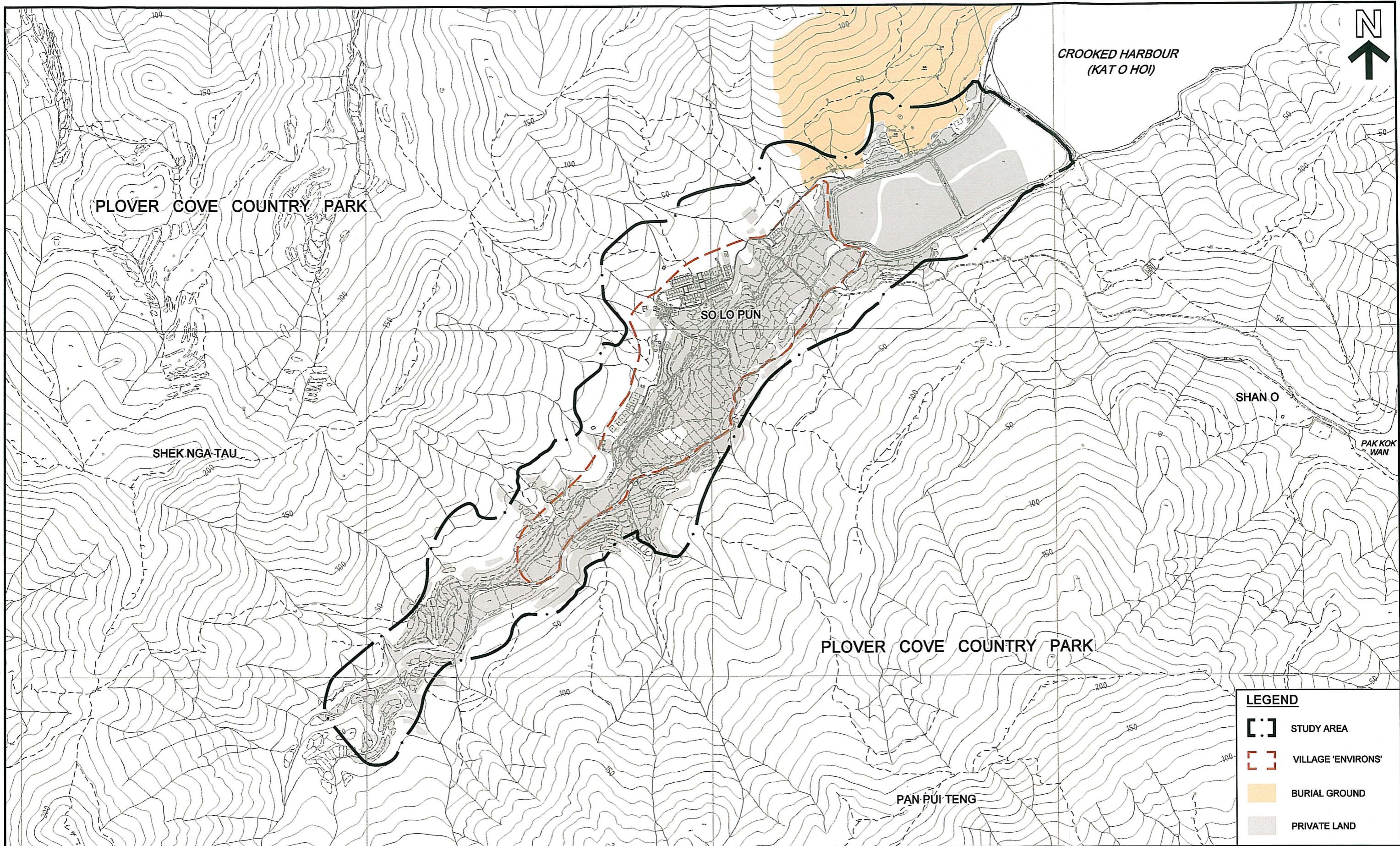
PLANNING
DEPARTMENT



REFERENCE No.
M/NP/SLP/12/1

FIGURE
6d

EXTRACT PLAN PREPARED ON
17.4.2013 BASED ON SITE PHOTO
TAKEN ON 19.10.2011



LAND OWNERSHIP AND VILLAGE 'ENVIRONS'

SO LO PUN

PLANNING DEPARTMENT

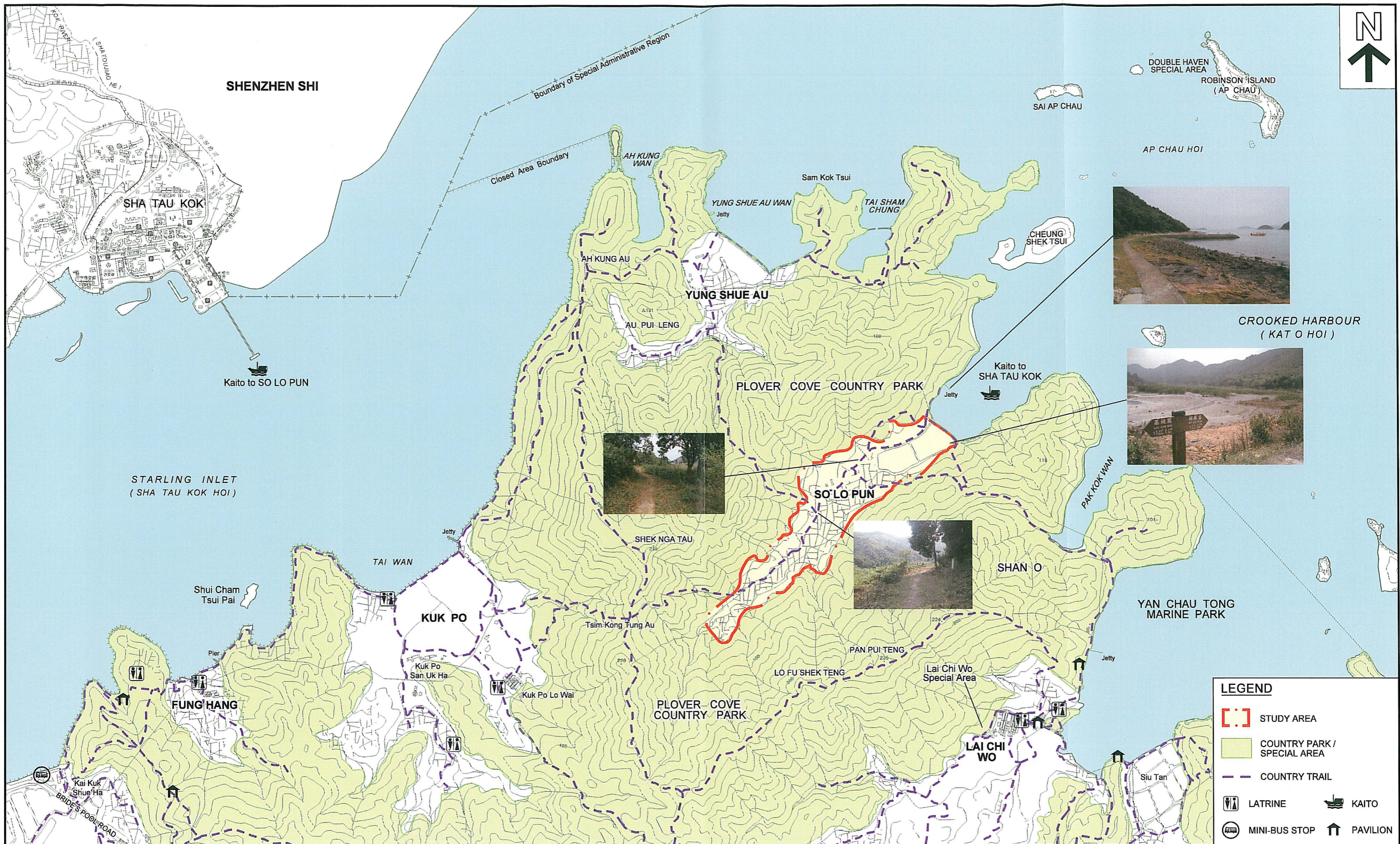


EXTRACT PLAN PREPARED ON 11.3.2013
BASED ON SURVEY SHEETS No. 3-NE-14D, 15C/D, 19B/D AND 20A/B/C/D

SCALE 1 : 5 000
METRES 100 0 100 200 METRES

REFERENCE No.
M/NP/SLP/12/1

FIGURE
7



EXISTING GIC, INFRASTRUCTURAL AND TOURISM-RELATED FACILITIES

SO LO PUN

SCALE 1 : 15 000

METRES 100 0 100 200 METRES

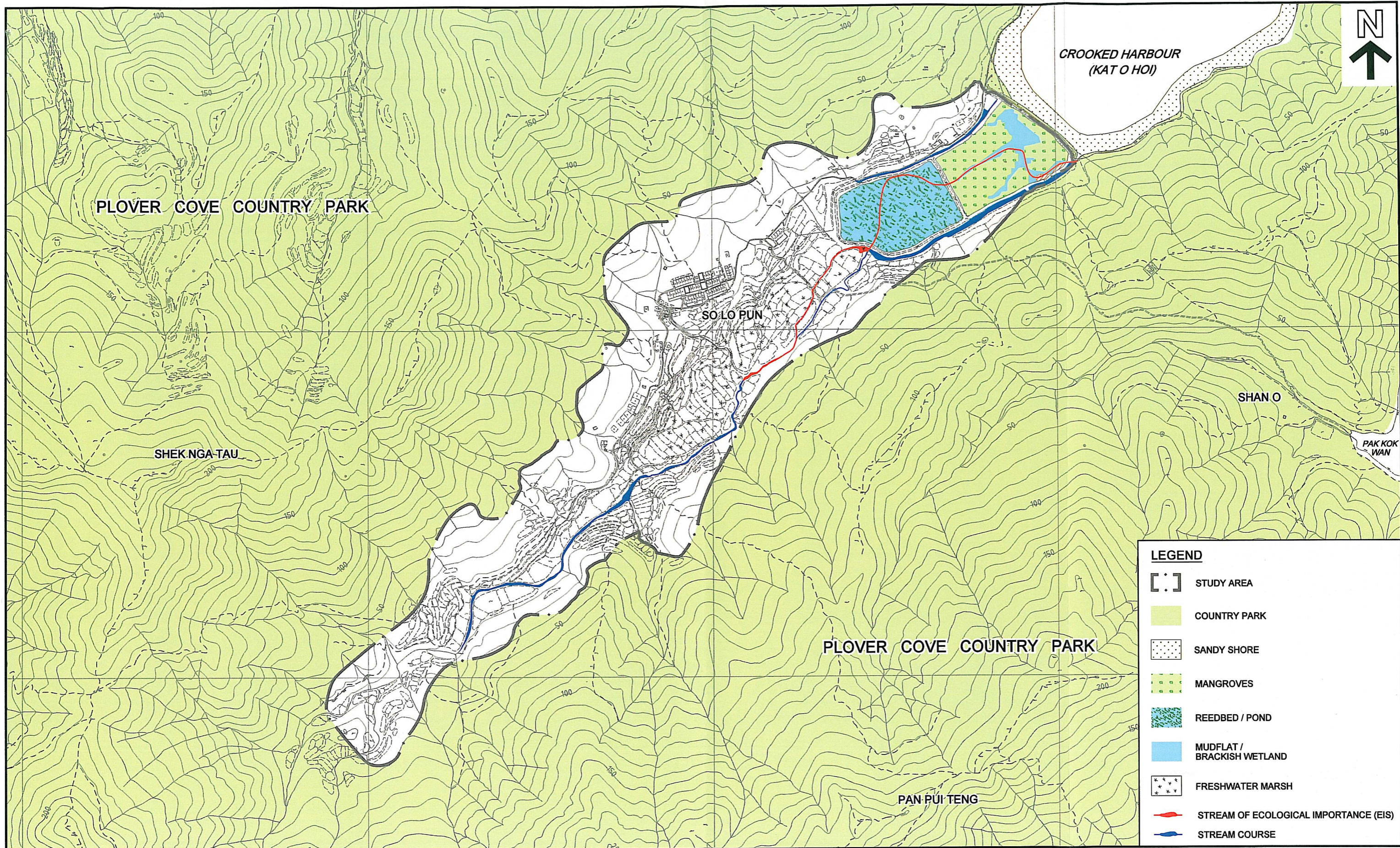
PLANNING DEPARTMENT



EXTRACT PLAN PREPARED ON 5.2.2013
BASED ON SURVEY SHEETS No. 3-NE & 4-NW

REFERENCE No.
M/NP/SLP/12/1

FIGURE
8



ECOLOGICAL AND CULTURAL HERITAGE RESOURCES

SO LO PUN

EXTRACT PLAN PREPARED ON 22.4.2013
BASED ON SURVEY SHEETS No. 3-NE-14D, 15C/D, 19B/D AND 20A/B/C/D

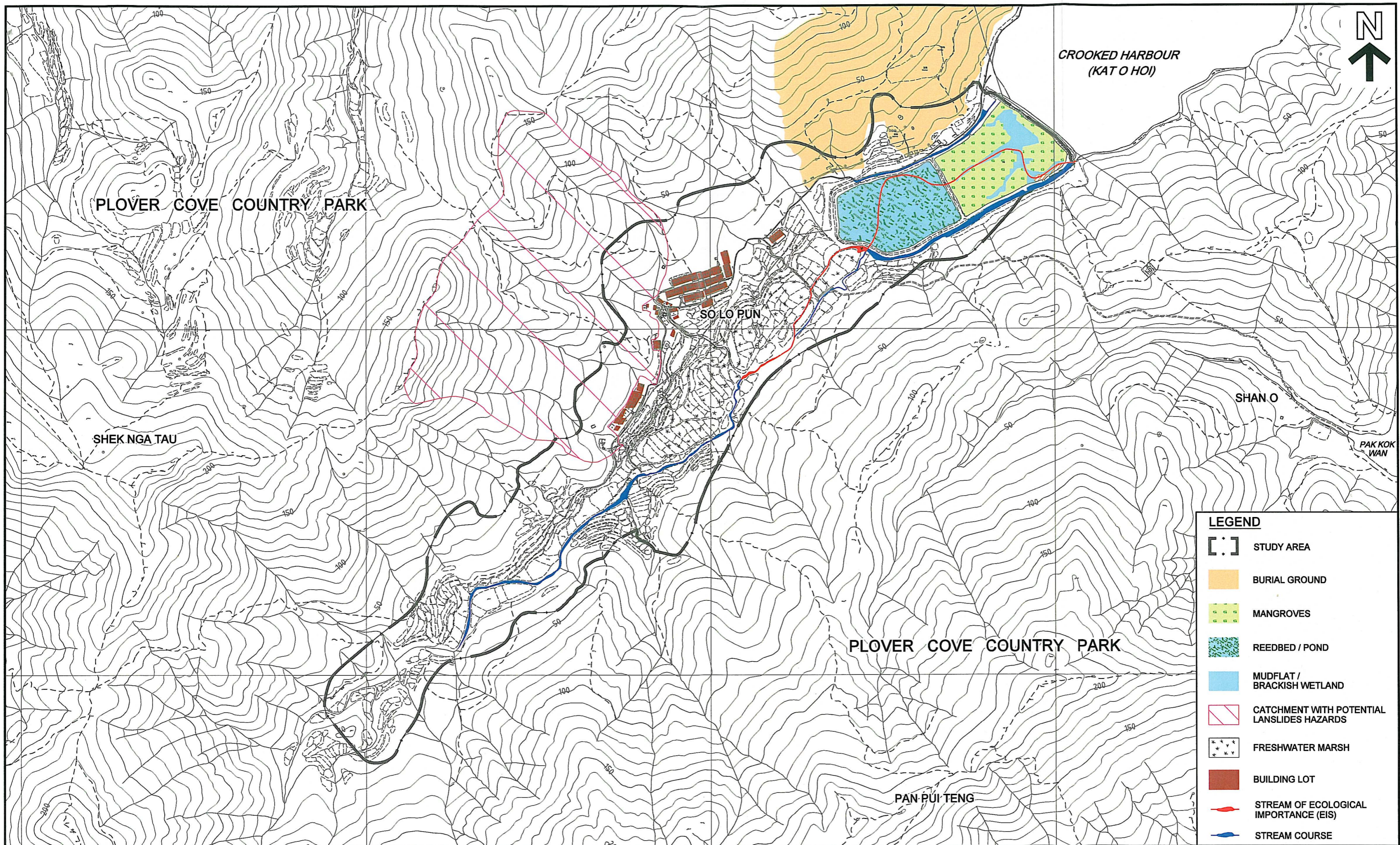
SCALE 1 : 5 000
METRES 100 0 100 200 METRES

PLANNING DEPARTMENT



REFERENCE No.
M/NP/SLP/12/1

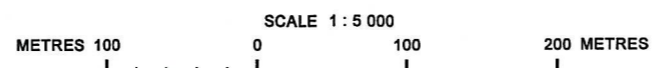
FIGURE
9



DEVELOPMENT CONSTRAINTS

SO LO PUN

EXTRACT PLAN PREPARED ON 22.4.2013
 BASED ON SURVEY SHEETS No. 3-NE-14D, 15C/D, 19B/D AND 20A/B/C/D



PLANNING DEPARTMENT



REFERENCE No.
 M/NP/SLP/12/1

FIGURE
 10



EXCAVATION WORKS IN SEPTEMBER 2010



CURRENT SITUATION

EXTRACT PLAN PREPARED ON
17.4.2013 BASED ON SITE PHOTOS
TAKEN ON 8.9.2010 AND 31.10.2012

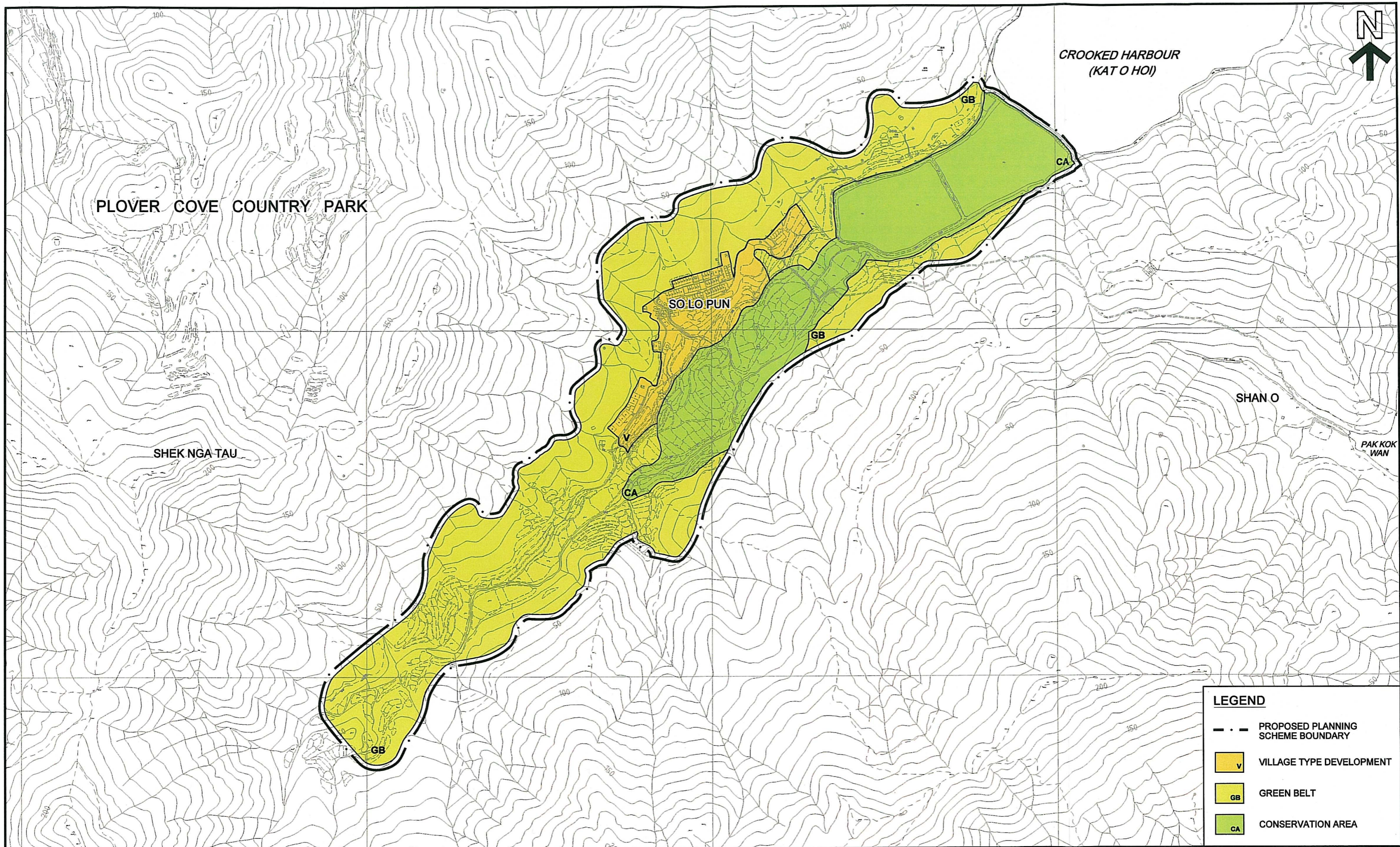
EXCAVATION WORKS AT ESTUARINE MANGROVE
ALONG COASTLINE OF KAT O HOI
IN SO LO PUN

PLANNING
DEPARTMENT



REFERENCE No.
M/NP/SLP/12/1

FIGURE
11



EXTRACT PLAN PREPARED ON 19.4.2013
 BASED ON SURVEY SHEETS No. 3-NE-14D, 15C/D, 19B/D AND 20A/B/C/D

SCALE 1 : 5 000

METRES 100 0 100 200 METRES

PLANNING DEPARTMENT



REFERENCE No.
 M/NP/SLP/12/1

FIGURE
 12

Planning Assessments on the Ecological Note on So Lo Pun submitted by
Kadoorie Farm and Botanic Garden (KFBG)

Introduction

1. In December 2012, Kadoorie Farm and Botanic Garden (KFBG) submitted an ecological note on So Lo Pun (the Area) to Planning Department to facilitate the preparation of the OZP.

Ecological Information

Woodland

2. Secondary woodland is present along the stream and around the village at the Area, and this woodland contains some species of conservation concern, such as Incense Tree (*Aquilaria sinensis*) (土沉香), Crab-eating Mongoose (*Herpestes urva*) (食蟹獾) and Yellow-bellied Weasel (*Mustela kathiah*) (黃腹鼬). The woodland has some stream courses where signs from the AFCD asking people not to set turtle traps were observed. The tributaries would be providing habitats for the Globally Critically Endangered Golden Coin Turtle (*Cuora trifasciata*) (三線閉殼龜). This species can wander around riparian woodland/marsh and thus the woodland adjacent to the stream is considered to be a potential habitat for this species.

Ponds

3. The Area has two ponds which are filled with seagrass bed (*Zostera japonica*) (矮大葉藻), mangrove and reedbeds. *Z. Japonica* is not common in Hong Kong and can only be observed at several sites. Mangrove is also considered to be important fish nursery.

Marshes

4. There are several freshwater marshes in the flat area of the valley which are likely to have evolved from abandoned wet agricultural lands. Along the footpath and in some areas next to the hillside/village, there are many marshy patches where at least two species of conservation concern are found, namely Water Fern (*Ceratopteris thalictroides*) (水蕨) and Rice Fish (*Oryzias Curvinotus*) (弓背青鱗).

Stream

5. The stream courses and their tributaries are able to provide habitats for some species of conservation concern, including Big-headed Frog (*Limnonectes fujianensis*) (大頭蛙), Rice Fish, and Golden Coin Turtle. Also, the whole stream course should be considered to be of ecological importance as they provide habitats for diadromous species¹ (e.g. the Japanese Eel, the Puffer Fish and Mitten Crab).

¹ Diadromous species need to migrate between the stream and the sea.

Recommendations

6. The woodland, the marshes and the stream courses should be covered by "Conservation Area" ("CA") zone and the ponds should be covered by "CA" zone or "Coastal Protection Area" zone because many species of conservation importance were recorded in these habitats.
7. The riparian areas of the main stream and the tributaries should also be covered by zoning for conservation protection and there should be buffer zones on both sides of the main stream which are very important in maintaining the ecological integrity of a stream.
8. The conservation importance of the Area is very high (in view of presence of the habitat mosaic and its ecological linkage with the surrounding Country Park) and thus it is recommended that So Lo Pun should be eventually incorporated into the Country Park system which gives the appropriate protection.

Planning Assessments

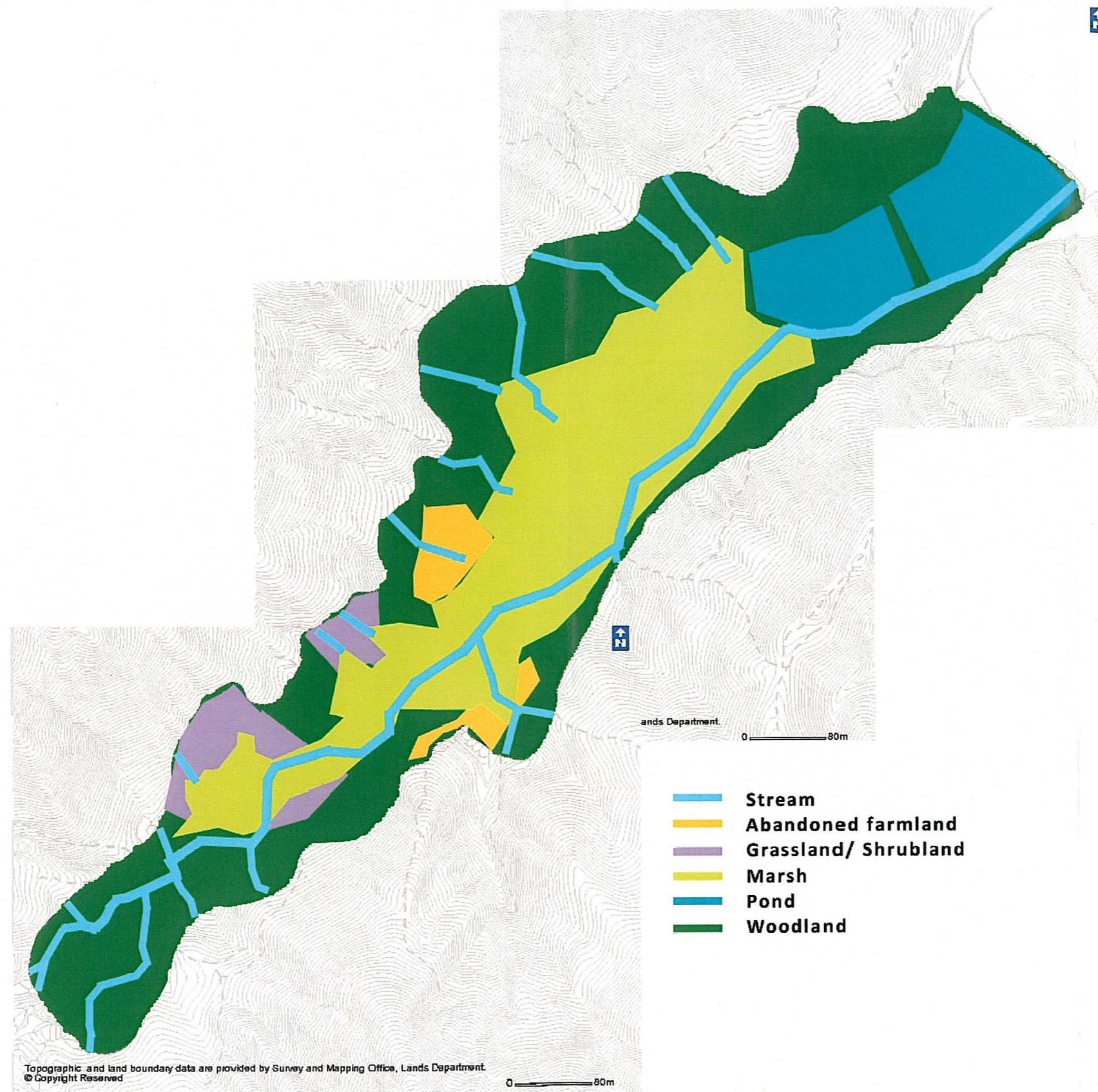
9. Agricultural, Fisheries and Conservation Department (AFCD) shared the view of the KFBG on the ecological importance of the natural habitats including mangroves, freshwater marshes and the woodlands at the Area.
10. The Area forms an integral part of the natural system of the natural woodlands in the adjoining Plover Cove Country Park with a wide spectrum of natural habitats including, inter alia, natural woodland, hillside shrubland, freshwater marsh and mangrove and an Ecologically Important Stream (EIS) which support some rare/uncommon flora and fauna of the Area and should be preserved and protected. The general planning intention of the Area is hence to protect its high landscape value which complements the overall naturalness and the landscape beauty of the surrounding country park.
11. According to AFCD, the wetland system in So Lo Pun including the intertidal habitats with mangrove and seagrass bed, reed pond, a natural stream identified as EIS and the freshwater marsh are of ecological importance. A relatively high diversity of fish and a number of species of conservation interest including water fern *Ceratopteris thalictroides* (水蕨), seagrass *Zostera japonica* (矮大葉藻) and a bat species *Tylonycteris robustula* (褐扁顛蝠), as well as the uncommon dragonfly *Orthetrum poecilops poecilops* (班灰蜻) and a fish species *Oryzias curvinotus* (弓背青鱗) have been recorded in the wetland complex. According to the available information, the So Lo Pun EIS and its adjoining freshwater marsh is one of the remaining habitats in Hong Kong that support a healthy and natural population of *Oryzias curvinotus* (弓背青鱗). In addition, the water fern *Ceratopteris thalictroides* (水蕨), which is a protected plant in China, has been recorded throughout the marsh. Hence, these important habitats, including the riparian areas of the EIS, for a variety

of rare and uncommon flora and fauna should be protected and are hence recommended to be designated as "CA".

12. The surrounding woodland and shrubland which form a continuous stretch of well-established vegetation of the natural woodlands in the adjoining Plover Cove Country Park are proposed to be designated as "Green Belt" zone so as to provide a buffer between the development and conservation areas or Country Park.
13. While the major theme of KFGB's recommendations is to conserve the environment, So Lo Pun Village is the only recognized village in the area and a "Village Type Development" ("V") zone will be designated to reserve land suitable for village expansion to meet their Small House demand. However, given the natural environment with high conservation and landscape value coupled with its inaccessibility due to lack of vehicular access, it is intended to consolidate village so as to avoid undesirable disturbances to the natural environment and overtaxing the limited infrastructure in the Area. Hence, land mainly comprising the existing village settlements with its surrounding areas is proposed for "V" zone for Small House development.
14. The designation of the Area as 'Country Park' is under the jurisdiction of the Country and Marine Parks under the Country Parks Ordinance (Cap. 208) which is outside the purview of the Board. DAFC advises that advice of the Country and Marine Parks Board should be sought on the most appropriate measure to protect the natural environment of the subject planning areas. DAFC also advises that the inclusion of a country park enclave into the surrounding/adjacent country park should be assessed by making reference to some established principles and criteria such as conservation value, landscape and aesthetic values, recreation potential, size, proximity of the existing country parks, land status and existing land uses.

Attachment

Figure A So Lo Pun Habitat Map from Kadoorie Farm and Botanic Garden



EXTRACT PLAN PREPARED ON 24.4.2013

SO LO PUN HABITAT MAP FROM KADOORIE FARM AND BOTANIC GARDEN

SCALE 1 : 5 000
METRES 100 0 100 200 METRES

PLANNING DEPARTMENT



REFERENCE No.
M/NP/SLP/12/1

FIGURE
A

北區區議會地區小型工程及環境改善委員會
第 9 次會議記錄

日期：2013 年 5 月 20 日
時間：下午 2 時 30 分至 5 時 15 分
地點：北區區議會會議室

第 3 項——鎖羅盆分區計劃大綱草圖編號 S/NE-SLP/D
(委員會文件第 13/2013 號)

24. 吳育民先生以投影片方式介紹委員會文件第 13/2013 號。

(蘇西智議員於此時離席。)

25. 委員就上述介紹提出下列問題、建議和意見：

- (a) 李冠洪議員表示，村民和村代表早於規劃署發出《鎖羅盆發展審批地區草圖》時已表達他們的意見；然而，現時所見的《鎖羅盆分區計劃大綱草圖編號 S/NE-SLP/D》並沒有因應他們當時的意見而作出任何修訂；有關鄉村式發展地帶的範圍只沿現有房屋劃為村界，面積並無擴大。《鎖羅

盆分區計劃大綱草圖編號 S/NE-SLP/D》只劃分為三個土地用途，包括自然保育區、鄉村式發展地帶和綠化地帶，原有的農業用地是私人土地，但卻全部被劃作其他用途。他指出，52 幅「郊野公園不包括土地」旨在規範市民先向城規會申請，再進行發展。然而，《鎖羅盆分區計劃大綱草圖編號 S/NE-SLP/D》將以往無指定用途的土地亦劃為綠化地帶，扼殺鎖羅盆的發展。雖然鎖羅盆四周被郊野公園土地所包圍，發展空間有限，但他認為政府應確保原有鄉村的基本發展，照顧村民基本的生活需要，包括提供水、電力和其他基本設施。假如規劃署拒絕修訂上述草圖，他會反對《鎖羅盆分區計劃大綱草圖編號 S/NE-SLP/D》；

- (b) 劉容壽先生對鎖羅盆至今仍無水電供應表示無法接受。規劃署在諮詢沙頭角區鄉事委員會時曾提及村民於假日會返回祖屋進行保育，他認為政府應大力鼓勵這種做法。雖然鎖羅盆四周被郊野公園所包圍，但這並非村民的要求，政府應改善山路和出入口等基本設施，便利居民，減低他們受傷的風險；
- (c) 溫和輝議員引用一個例子，指多年前曾有一名長者於鎖羅盆清理祖屋前的雜草和樹木，希望善用土地養魚和牧羊，但其他人卻指責他破壞生態環境。他對保育和環境保護表示認同，但如村民只發展自己的私人土地，他人便不應加以阻撓，政府亦應保障他們的人權。他表示，村民希望鎖羅盆的土地用途維持現狀，不作任何改變，保留原有的農業用地；以及
- (d) 曾玉安先生表示，「可持續發展」指既能滿足當代人的需求，又不損害後人發展的模式。他引用鎖羅盆村委員會主席黃富的例子，指他對鄉村有情意結，只希望清理私人土地上的雜草和樹木，現時規劃署提出《鎖羅盆分區計劃大綱草圖編號 S/NE-SLP/D》，對他而言是一種懲罰。既然規劃署將鎖羅盆的心臟地帶劃為自然保育區，他反問署方為何不直接將其改劃為本港第二個濕地公園。他認為《鎖羅盆分區計劃大綱草圖編號 S/NE-SLP/D》應反映私人土地的範圍，他贊成規劃署將堤壩附近的政府土地劃作自然保育區，但反對把私人農地劃作自然保育區，因村內的農民難

以轉型。以往居民逐漸搬離鎖羅盆時，堤壩的關閘曾因日久失收而出現缺堤，以致海水流入農田，令私人土地長滿紅樹，魚塘亦長有蘆葦，現時所見情況並非其本來面貌。他建議政府考慮將全港所有偏遠鄉村集合起來，例如於沙頭角海進行填海，供各村落在該處繼續發展。政府必須採取懷柔政策，讓居民相信有出路和有選擇，不應只聽取漁護署和環保人士的意見，應從原住民的角度考慮，尊重他們的生存空間。

26. 胡潔貞女士感謝委員的意見，並就委員的提問和意見作出下列回應：

- (a) 在制定《鎖羅盆分區計劃大綱草圖編號 S/NE-SLP/D》時，規劃署主要考慮北區地政處所提供未處理的小型屋宇申請數目和未來 10 年小型屋宇需求，來訂定鄉村式發展地帶的面積，署方亦會考慮當區的地形、自然生態環境和其他環境因素和相關部門的意見；
- (b) 規劃署希望採取漸進式規劃制定「鄉村式發展」地帶，目的是把小型屋宇發展集中在適當的位置，以免對該區的自然環境造成不應有的干擾和令區內有限的基礎設施不勝負荷。根據資料顯示，暫時沒有市民居於鎖羅盆，亦沒有未處理的小型屋宇申請，假如市民將來希望返回村內居住，署方預期該處可建約 70 間小型屋宇，規劃署會密切留意小型屋宇的需求，按個別情況再作處理；
- (c) 除鄉村式發展地帶外，根據《城市規劃條例》第 16 條，市民可於其他地方提出土地用地修訂申請或在綠化地帶提出規劃許可申請，城規會會按個別情況考慮每宗申請，而農業用途亦是綠化地帶和自然保育區「經常准許的用途」，村民可於該範圍內進行農業及相關用途；以及
- (d) 市民可於綠化地帶和自然保育區興建農業住用構築物。規劃署可就地區小型及環境改善工程、基礎設施和其他公共工程等與相關部門進行商討，政府負責的維修工程和改善項目亦是圖則涵蓋範圍內的土地上經常准許的用途或發展。

27. 李冠洪議員表示，漁護署在鄉村規劃方面經常與村民持相反意見，他們的意見甚至是規劃署的制肘，他們認為動物比人的價值更高，從不體恤村民和業權人的困難，他建議邀請漁護署派員列席下一次會議，參與有關討論；

28. 曾玉安先生表示，政府選定了 12 個須優先加強保育的地點，其中包括烏蛟騰、鹿頸和沙螺洞，至今仍未見成績。政府設立的「香港鄉郊基金」亦未成熟，除非政府有一套因應私人土地而制定的完整保育政策，否則他反對規劃署將村落核心地帶劃為自然保育區。

29. 主席表示，在委員會討論「雞谷樹下村與鳳坑村間沿海步行徑」時，漁護署與其他部門的意見不一，視紅樹林和動物比人更為重要。他贊成邀請漁護署派員列席下一次會議，討論議程第 2 項和第 3 項共 6 張草圖，並請秘書跟進。他總結，委員會反對《鎖羅盆分區計劃大綱草圖編號 S/NE-SLP/D》，規劃署須按委員的意見修訂，並於下一次會議討論修訂方案。



Hong Kong Sha Tau Kok
District Rural Committee
<stkdrcc@gmail.com>

28/05/2013 下午 03:07

To ttschao@pland.gov.hk

cc

bcc

Subject 鎖羅盆大綱圖建議

☐ High importance ☐ Return receipt ☐ Sign ☐ Encrypt

Dear Terry

-

Enclosed please kindly for the Response to Draft So Lo Pun ZOP

-

thanks & regards

Grace Yim

Sha Tau Kok District Rural Committee

Tel : -(852) 2674 1070



Fax : (852) 2674 0691 28-5-2013-大綱圖建議.docx

鎖羅盆分區計劃大綱草圖編號 S/NE-SLP/D

就鎖羅盆分區計劃大綱草圖編號 S/NE-SLP/D 在刊憲前，沙頭角區鄉事委員會提交的意見書。

1. 目的

1.1 本文件旨在向城市規劃委員會（下稱<城規會>），表明沙頭角區鄉事委員會（下稱<鄉委會>）反對鎖羅盆分區計劃大綱草圖編號 S/NE-SLP/D, (下稱 <大綱草圖>），並強烈要求城規會在刊憲前，將大綱草圖作出修改，並就鄉委會提交的意見書，進行協商。鄉委會亦希望可以透過規劃署署長與各責任部門（ Authority）進一步解釋我們的意見。

2. 背景

2.1 二零一三年五月十五日，大埔、沙田及北區規劃處官員在鄉委會提交大綱草圖，在場的鎖羅盆村長及村民指出大綱草圖所建議的三種土地用途地帶規劃不足，一致表決不能接受。村長並遞交請呈信，要求鄉委會積極介入解決爭議。

2.2 二零一三年五月二十八日鄉委會舉行會議，通過代表鎖羅盆村向城規會表明反對大綱草圖。並透過大埔、沙田及北區規劃處專員，提

交本文件給城規會，強烈要求在刊憲前，與各責任部門（ Authority ）和鄉委會再進行協商，達成計劃共識，共創社會和諧。

3. 規劃區

3.1 該區所涵蓋的總面積約為 26.68 公頃，當中絕大部份土地是鎖羅盆村祖先於 1898 年與當時港英政府根據集體官契（Block Crown Lease）下簽署批給原居民的土地，除污染行業外，無限制地用作住屋（House）或農業（Agriculture）之用。又根據中英聯合聲明，批地年期在沒有更改集體官契下，地租每年改為收取差餉估值百份之三，續批土地至 2047 年 6 月 30 日（不稱<私人土地>）。

3.2 該區 26.68 公頃全屬鎖羅盆村的原村落範圍（Village Environs），明清時代已在這裡開墾立村，村民強悍善戰力抗海盜襲擊，靠捕魚耕種，生活自給自足。1945 年第二次世界大戰期間，該區和附近的山林地帶是中華兒女抗日英雄的所在地之一。1950 年代，沙頭角區部份列入禁區，鎖羅盆的村民生活大受影響，到 1960 年代中期，村民相繼離開，除散居上水，粉嶺和大埔外，大部份精壯的年青人移居歐洲，美洲，或東南亞等地。1997 年隨著香港回歸中國，大部份移居海外的村民，成年男丁有 300 多人，帶著知識，財富和濃烈純潔愛鄉土之情，手牽手，心連心，決心返回久別了的沙頭角鎖羅盆村，進行復村

運動，並要將鎖羅盆村的獨特歷史作為香港歷史鮮為人知的一面，陳現出來。

3.3 1978年4月及1979年6月港英政府成立的郊野公園管理委員會，沒有將鎖羅盆村落範圍納入船灣郊野公園或船灣郊野公園(擴建)內。該區東北面向吉澳海，村前建有小碼頭及防波堤，是當年透過嘉道理鄉村發展基金提供材料贊助，由村民建造而成。目前是北區民政事務處/區議會轄下的小型鄉郊工程工作小組負責日常維修。

4. 整體規劃意向

4.1 顧名思意，鎖羅盆是一個盆地，三面高山，一面下海。該區被自然美景的船灣郊野公園三面包圍，另一面(東北面)則俯覽優美的吉澳海。大綱草圖規劃應該有制約地和秩序地將郊野景色融合於認可的鎖羅盆村，配合宜人居住的生態鄉村發展。

4.2 區內經歷四百年的開墾耕作，雖然經歷戰亂，棄村等動蕩的四十年，土地曾經大力開發的痕跡仍瀝瀝在目，回流故鄉的村民土族，枝茂葉繁，達三百多人，區內規劃應以人為本，配合復村的勢頭。

4.3 認同區內東南面有一條具生態價值的河溪，也是村民生活用水和復耕的重要組成部份，疏通河道，保持流水暢順，至為重要。

4.4 現時該區發展受制於有限的交通和基礎設施。對外交通方面主要靠海路接駁沙頭角墟碼頭，全程僅十五分鐘。這裡海上交通並不繁忙，有很大空間可以發展。至於基礎設施方面，區內有充足的水源，中華電力公司正提供電力的接駁工程，可收微波電訊。區內交通仍靠沿有的行人路連接碼頭及防波堤，由於旅遊人流很多，已不勝負荷，有重新修葺擴闊的必要。這也是重建舊屋，鄉村發展和確保旅遊人士安全到訪該區的首要任務。

綜合而言，整體規劃意向：

- (1) 以人為本，愛護自然環境，有條理發展宜人居住的生態鄉村；
- (2) 提供方便村民利用區內獨特盆地的環境和地利，建設廿一世紀綠色家園的藍圖；及
- (3) 配合香港東北區域發展策略，推動本土經濟，方便市民生態旅遊；並協助村民復村就業，安享晚年。

5. 土地用途地帶

就大綱草圖所建議的三種土地用途地帶規劃，鄉委會並不同意，並有以下的回應：

5.1 鄉村式發展

5.1.1 鎖羅盆村是該區唯一的鄉村，鄉村範圍基本上即該區的絕大

部份。大綱草圖撥出總面積 2.52 公頃供鄉村式發展，減除原有村屋，道路，斜坡，不能滿足或預留足夠土地供村民在其鄉村範圍私人土地上興建 300 座小型屋宇的申請。

5.1.2 區內原有舊屋座落於北面緊貼陡峭的天然山坡，舊屋大多破舊，細小和業權繼承需時，如要進行天然山坡災害研究和採取適當的消滅災害措施，重建費用會相當昂貴，由於山坡涉及政府土地，鄉委會建議政府土力工程處在適當時候進行斜坡鞏固工程，確保住民的安全。

5.1.3 鄉委會認同把鄉村發展集中起來，將地勢崎嶇，河道和墓地都盡量不劃入此地帶內，更建議鄉村式發展集中在區內的中游盆地，總面積不少於 6 公頃。

5.2 綠化地帶

5.2.1 鄉委會認為大綱草圖提出利用天然地理環境作為市區和近郊的發展區的界限，以抑制市區範圍的擴展，基本上不適用於該區的實際情況。總面積 17.15 公頃超乎實際需要。

5.2.2 鄉委會提出應將該地帶面積大規模縮減，將其中 3.5 公頃撥作鄉村式發展，其餘撥作農業和康樂用途，只保留河道，墓地和草木茂

盛的山坡在這地帶內。

5.3 自然保育區

5.3.1 大綱草圖規劃出總面積 8.01 公頃土地為自然保育區，但區內的私人土地及其用途是根據集體官契而確定，土地(包括地上及地下)都是村民的私有財產，有足夠的理由支持這些經長年累月開墾的土地，不應也不適合用作自然保育區。

5.3.2 如要達到保育及作教育和農業研究用途，或分隔開易受破壞的天然環境如外圍的船灣郊野公園等，鄉委會表示充其量可分別按地形特色，生態系統，或支持本土經濟發展等優次需要原則，分別規劃為鄉村式發展，農業，綠化地帶或康樂用地等。這樣，一來確保毗鄰郊野公園建成宜人居住的生態鄉村發展是安全的；二來也可供應土地，加快興建為香港新界東北區域發展旅遊所需的基礎設施。

建議其他土地用途地帶

鄉委會翻閱鎖羅盆村務委員會於 2010 年 11 月提交城規會修訂〈鎖羅盆發展審批地區草圖〉編號 DPA/NE-SLP/1 的建議書，詳盡解釋該區土地用途地帶除包括鄉村式發展和綠化地帶外，還包括以下各土地用途地帶。鄉委會補充的意見如下：

略本區原居民生活的訴求歷時超過半個世紀。

6.2 1997 年香港回歸中國，中港互動，交往日趨頻繁，邊境亦逐步開放，原居民才得以回歸故里。善用自己的土地，規劃自己的家園，尋求安居樂業，絕對有節有理。

6.3 鄉委會今次提交的建議，已充份考慮社會各方的意見，隨絕不接受將曾經開拓的私人土地在區內列入自然保育區 (CA)外，其它就規劃意向和土地用途地帶等已作出積極的回應，包括道路，綠化地帶，康樂地帶，政府/機構或社區用地，農業和鄉村式發展等，就保護自然環境，生態河流和居民生活及郊遊人士的安全和渴求等各方面取得平衡，逐步發展區內 26.68 公頃土地，為未來十年製定一個適合廿一世紀綠色家園的藍圖，將郊野怡人景色融合於鎖羅盆村，締造一個不一樣宜人居住的生態鄉村發展。

附件

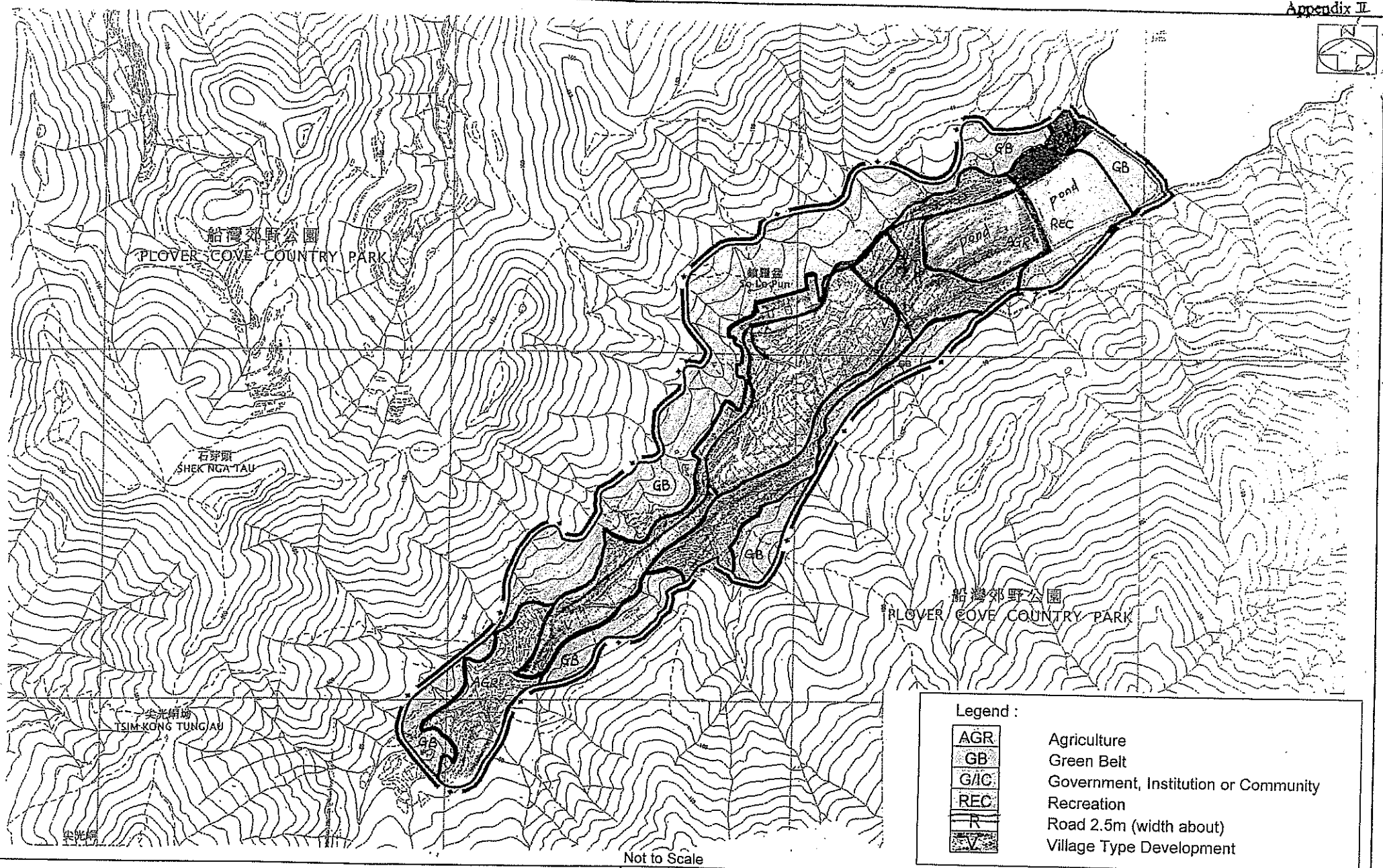
附件 I - 鎖羅盤分區計劃大綱草圖編號 S/NE-SLP/D

附件 II - 建議修定鎖羅盤分區計劃大綱草圖 編號 : STKRC-TTS/SLP/D1

附件 II - 建議各土地用途地帶說明

沙頭角區鄉事委員會

二零一三年五月



建議修定鎖羅盆分區計劃大綱草圖



新界沙頭角區鄉事委員會
Sha Tau Kok District Rural Committee, NT



THOMAS TSANG SURVEYORS LIMITED
曾家襄測量師有限公司
TEL: 27911138 FAX: 27914092

(Translation)

Draft So Lo Pun Outline Zoning Plan No. S/NE-SLP/D

Submission on the Draft So Lo Pun OZP No. S/NE-SLP/D by Sha Tau Kok District Rural Committee prior to gazette publication.

1. Purpose

1.1 This document aims to make clear to the Town Planning Board (hereinafter referred to as "the TPB" for short) that the Sha Tau Kok District Rural Committee (hereinafter referred to as "the RC" for short) objects to the Draft So Lo Pun Outline Zoning Plan No. S/NE-SLP/D (hereinafter referred to as "the Draft OZP" for short). We strongly urge the TPB to modify the Draft OZP before its gazette publication and discussion with us the submission filed by the RC. The RC also hopes that the Director of Planning can further explain our views to various responsible departments (Authority).

2. Background

2.1 On 15.5.2013, officials from the Sha Tin, Tai Po and North District Planning Office presented the Draft OZP to the RC. The Village Representative and inhabitants of So Lo Pun Village who were present at the meeting pointed out that the three proposed land uses under the Draft OZP have shortcomings and they unanimously voted against it. The Village Representative has also submitted a petition to us requesting the RC to actively participate in resolving the dispute.

2.2 On 28.5.2013, the RC has convened a meeting and passed a resolution that it will represent So Lo Pun Village to raise its objection against the Draft OZP to the TPB. Besides, we have submitted this document via the Sha Tin, Tai Po and North District Planning Officer to the TPB, strongly demanding various responsible departments (Authority) to conduct consultation with the RC before gazette publication in order to reach a consensus plan and achieve social harmony.

3. Planning Scheme Area

3.1 The Planning Scheme Area covers a total area of approximately 26.68 hectares, the vast majority of which is land demised to indigenous inhabitants arranged under the Block Crown Lease between the ancestors of So Lo Pun Village and the then British Hong Kong Government in 1898. With the exception of polluting trades, there is no restriction on land use like housing (House) or agriculture (Agriculture) purposes. In accordance with the Sino-British Joint Declaration, in the absence of any changes under the Block Crown Lease, the Government rent would be charged at 3% of rateable values per annum during the lease period. The lease has been renewed to 30.6.2047 (we don't call it "private land").

3.2 The 26.68 hectares of land in the region is all within the original Village Environs of So

Lo Pun Village. As early as the Ming and Qing dynasties, villagers have been opening up land and building their houses there. They have fought tough battles to resist pirate attacks and fended for themselves by fishing and farming. During World War II in 1945, the region and the nearby mountain areas are the locations where anti-Japanese Chinese warriors and heroes had battled to protect their homeland. In the 1950s, part of Sha Tau Kok was included as closed area, which has greatly affected the life of So Lo Pun Villagers. In mid 1960s, the villagers have gradually left the land. Apart from relocating to Sheung Shui, Fanling and Tai Po, most of the robust younger generations have emigrated to Europe, America or Southeast Asian countries. In 1997, with the handover of Hong Kong back to China, the majority of overseas villagers, among them are some 300 adult males, have determined to return back, hand in hand and heart to heart, to their long absented So Lo Pun Village, bringing with them knowledge, wealth and strong feelings and love for their homeland. They wanted to revive the Village and bring out the unique background of So Lo Pun Village as something rarely known in the history of Hong Kong.

3.3 In April 1978 and June 1979, a Country Parks Management Committee was set up by the then British Hong Kong government. The village environs of So Lo Pun Village was not incorporated into the Plover Cove Country Park or Plover Cove (Extension) Country Park. The area is facing the waters of Kat O in the northeast. A small jetty and breakwater fronting the Village were constructed in old times by villagers using materials funded through the Kadoorie Rural Development Fund. These structures are now maintained by the Rural Minor Works Working Group under the North District Office/District Council.

4. Overall planning intentions

4.1 As the name implies, So Lo Pun Village is a basin with mountains on three sides and water on one side. It is surrounded by the natural landscape of Plover Cove Country Park on three sides and overlooking the beautiful Kat O Hoi on the other side (northeast side). The zoning of the Draft OZP should have integrated the rural landscape into the recognized So Lo Pun Village in a constrained and orderly manner to live up to eco village development ideal for habitation.

4.2 The area has experienced cultivation and farming for more than 400 years. Despite 40 turbulent years when war and abandonment was experienced, the land still vividly displays traces of laborious development. The number of returning villagers and families is more than 300. Planning within the area should be people-oriented, pitching in with the momentum of revival of the Village.

4.3 The Government should realize that there is a river of ecological value at the southeast part of the area. It is the water source of daily living for the villagers and an important component of agricultural land rehabilitation. River dredging for smooth water flow is of utmost importance.

4.4 Hitherto, development of the area is handicapped by limited transport and infrastructure. External transport relies mainly on sea transportation to the Sha Tau Kok Hui Pier. The whole journey takes just 15 minutes. Marine traffic there is not heavy and there is plenty room for development. For infrastructures, water supply is abundant in the area. CLP Power Hong Kong

Limited is now providing electricity connection works for the reception of microwave telecommunications. Road networks still rely on existing footpaths to connect the pier and the breakwater. Since the number of visitors is growing, the facilities can no longer meet the need. It is necessary to refurbish and widen up the footpaths. This is also a top priority for the reconstruction of old houses, rural development and safety of visiting tourists.

To summarize, the overall planning intentions are:

- (1) Develop an eco village ideal for habitation in an orderly manner, taking into consideration the people and the natural environment;
- (2) Provide a blueprint to facilitate villagers making use of the unique environment and location of the basin to build a tenable green home of the 21st century; and
- (3) Promote local economy and facilitate ecotourism in line with the North East New Territories Development Strategy in Hong Kong, and assist villagers to revive the Village with employment opportunities to prepare for their old age.

5. Zonings

The RC does not agree to zonings of the three proposed uses on the Draft OZP and has the following comments:

5.1 Village Type Development

5.1.1 So Lo Pun Village is the only village in that area. Basically, the village environs makes up a vast majority of the area. The Draft OZP has allocated a total area of 2.52 hectares for village-type development. Less existing village houses, roads and slopes, the remaining area cannot meet or set aside sufficient land for the villagers to apply for development of 300 small houses on private lands within the village environs.

5.1.2 The existing old houses are located in the northern part right next to the steep natural slopes. These are mainly dilapidated old houses small in size. Changing title ownership to descendents takes time. If a natural terrain hazard studies has to be conducted and appropriate precautionary measures against disaster have to be taken, reconstruction would incur great costs. As hillside slopes are partly Government land, the RC proposes the Government Geotechnical Engineering Office to start slope stabilization works at an appropriate time to ensure the safety of the inhabitants.

5.1.3 The RC agrees to accentuate village development by excluding rough terrains, rivers and burial grounds from this zoning. We further propose to concentrate village-type development in the middle basin region, with a total area of not less than 6 hectares.

5.2 Green Belt

5.2.1 The RC considers the use of natural topographical features as boundaries delineating urban and suburban development area as mentioned in the Draft OZP to contain the extension of urban development basically does not apply to the actual situation of the region. The gross area of 17.15 hectares has seemingly exceeded actual needs.

5.2.2 The RC suggests to significantly cutting down the area of that zoning. Within that zoning, 3.5 hectares of land should be allocated for village-type development and the rest for agricultural and recreational uses. Only rivers, burial grounds and lush hillside should remain in this Belt.

5.3 Conservation Area

5.3.1 The Draft OZP has set aside a total area of 8.01 hectares of land as Conservation Area. Nonetheless, the private lands within the area and their uses are determined under the Block Crown Lease. The lands (both above and below the ground) are the private properties of the villagers. There are sufficient grounds to support that these lands of years old cultivation should not be used and are not suitable for use as Conservation Area.

5.3.2 To achieve conservation and for education and agricultural research purposes, an alternative is to just single out the natural environment vulnerable to damage, such as the Plover Cove Country Park on the outer side. The RC maintains that, at maximum, the land area can only be planned as village-type development, agricultural land, Green Belt or recreational ground, etc. according to the topographical features, ecosystems or necessities for supporting local economic development in order of priority. In this way, we can ensure that firstly the pleasant eco village built adjacent to the Country Park is safe for habitation; secondly land supply is available to accelerate the construction of infrastructures needed for the development of tourist industry in the North East New Territories of Hong Kong.

Other land use zonings proposed

The RC has studied the proposal submitted to the TPB in November 2010 by the So Lo Pun Village Committee for amendment of the Draft So Lo Pun Development Permission Area Plan No. DPA/NE-SLP/1, with detailed explanations on zonings for the following land uses in addition to village-type development and Green Belt within the region. The RC would like to add the following comments:

5.4 Roads

5.4.1 Though the local road network is simple, has been in existence for over a decade and deserted for some time by leaving inhabitants, the area is still a favourite spot frequented by visitors. To facilitate revival of the Village, reconstruction of dilapidated houses, improvement of access for building the Village and to upgrade safety for inhabitants and the growing number of visitors, the RC requests roads be planned on the Draft OZP from the breakwater to the village-type development zone as shown on the attached plan. The roads should be provided with street lighting, of a width not less than 2.5 m for the movement of fire fighting motorcycles and small rural scooters.

5.4.2 In TPB's reply to the So Lo Pun Village Committee dated 6.5.2011, the Board acknowledged that the Planning Department has already noted the proposals on improvement to the traditional footpaths and country trails and widening of footpaths. The proposals would be referred to relevant bureaux / departments for consideration.

5.4.3 The RC also urges the Rural Minor Works Working Group under the North District Office / District Council to allocate funding for such construction. They should follow-up the progress in order that the road improvement and widening works can be done at an early date.

5.5 Agriculture

5.5.1 The area is a basin with abundant sunshine and plenty of water. At the middle and lower reaches, there are cultivated land and fish ponds. And at the upper reach, there are rolling terraces suitable for special farming, fish farming, and raising of livestock like cows, goats and others. Traditionally speaking, the farmland is situated next to the village houses. So the RC proposes that agricultural land should be marked next to the village-type development land on the Draft OZP, to promote and support the development of local organic farming.

5.6 Recreation

5.6.1 The RC believes that the area can take advantage of the natural environment for the development of low-density recreational facilities. This zone covers the northeast land area, where there are fish ponds formed by So Lo Pun Villagers in the early days (including mangrove mudflats and freshwater marshes). Together with the neighboring farmland, this is a place ideal for leisure, sight-seeing, photo-taking and fishing. Frequent cleaning of the ponds is necessary to avoid blockage which can cause flooding.

5.6.2 The area is a popular spot for hikers. In recent years, mountain biking and climbing team training activities are commonly seen there.

5.7 Government/Institution or Community

5.7.1 The site of the former "Kai Ming School" in that area is an important part of collective memory for So Lo Pun Villagers. Record has shown that the school campus was open to visitors as a resting stop as early as 1960s. Villagers have already raised funds for in situ construction of a village office and a visitors' centre, telling moving stories of how villagers built their houses, left their homes and returned back in the past four hundred years.

5.7.2 To cope with the increasing population there, the RC suggests the Government to set aside land for basic facilities like helipad, refuse collection points, public toilets, notice boards, CAS first aid post, etc.

6. Summary

6.1 After extensive consultation with inhabitants of the Sha Tau Kok Village, the RC is of the view that the isolation policy imposed by the British Hong Kong Government in the past has seriously distorted the development of this fringe area. Enormous resources has been channelled for urban development, while the petition for better living by indigenous inhabitants of our area has been completely ignored for more than half a century.

6.2 Since the handover back to China in 1997, interactive exchanges between Hong Kong and Mainland China have become more frequent. The border areas have been gradually opening up. Thus, the indigenous inhabitants were able to return home and well utilize their own land to plan their homes. The pursuit of a good life and good job is definitely justifiable.

6.3 This submission by the RC has taken into full account the views of all sectors of the society. Apart from refusing the incorporation of cultivated private land into the Conservation Area (CA), we have given positive feedbacks on the planning intention and land use zonings, including roads, Green Belt, recreational areas, GIC land, agricultural and village-type development areas. We hope the Government can strike a right balance between protecting the natural environment, ecological river, living quality of the inhabitants and the safety and demands of the visitors; develop the 26.68 hectares of land within the region step by step; formulate a 10-year blueprint for the development of a green home living up to the 21st century; and integrate the pleasant scenery of the country side into So Lo Pun Village to create an extraordinary eco-friendly and pleasant living environment in the Village.

Annexes:

Annex I - Draft So Lo Pun OZP No. S/NE-SLP/D

Annex II – Proposed Revised Draft So Lo Pun OZP No. STKRC-TTS/SLP/D1

Annex II – Explanatory notes of various land use zonings

Sha Tau Kok District Rural Committee
May 2013



Hong Kong Sha Tau Kok
District Rural Committee

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29/05/2013 上午 09:48

To ttschao@pland.gov.hk

cc

bcc

Subject Fwd: STKDRC Response to Draft So Lo Pun OZP

☐ High importance ☐ Return receipt ☐ Sign ☐ Encrypt

History:

This message has been replied to and forwarded.

新界沙頭角區鄉事委員會

嚴雪芳(秘書處)

Tel : (852) 2674 1070

Fax : (852) 2674 0691

----- Forwarded message -----

From: Ka Kau Tsang <

Date: 2013/5/28

Subject: Fwd: STKDRC Response to Draft So Lo Pun OZP

To: Grace YIM < >, HC Wong-Yahoo <

>

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From: Ka Kau Tsang <

Date: 2013/5/28

Subject: STKDRC Response to Draft So Lo Pun OZP

To: Vincent Yip <



So Lo Pun Appendix III Draft OZP STKDRC-TTS-SLP-D1 Explanatory Note.pdf



So Lo Pun Appendix III Draft OZP STKDRC-TTS-SLP-D1 Land Use pdf..pdf

沙頭角區鄉事委員會—建議修定
鎖羅盆分區計劃大綱草圖編號 ~~S/N-E-SLP/D~~ STKDRC-TTS/SLP/D1

(這是為施行《城市規劃條例》的規定而擬備的草圖)

註釋

(注意：這份《註釋》是圖則的一部分)

- (1) 這份《註釋》說明圖則涵蓋範圍內的土地上經常准許的用途或發展，以及須向城市規劃委員會申請許可的用途或發展。城市規劃委員會若批給許可，可能附加或不附加條件。須取得這種許可的人士，應以特定表格向城市規劃委員會提出申請。有關的特定表格可向城市規劃委員會秘書索取，填妥後送交城市規劃委員會秘書收。
- (2) 在進行這份《註釋》所載的用途或發展(包括經常准許及可獲批給許可的用途或發展)時，必須同時遵守一切其他有關的法例、政府土地契約條款的規定，以及任何其他適用的政府規定。
- (3) 任何土地或建築物的用途，如在緊接有關發展審批地區草圖的公告在憲報首次刊登前已經存在，而該項用途由展開以來一直持續進行，則即使不符合圖則的規定，也無須更正。如擬對這類用途作出任何實質改變，或擬進行任何其他發展(就這類用途而對有關土地或建築物的發展作出輕微改動及／或修改是經常准許的，不在此限)，則必須是圖則所經常准許的，又或必須符合城市規劃委員會所批給許可的內容。
- (4) 凡較早時公布的該區草圖或核准圖(包括發展審批地區圖)准許並於該圖有效期內在何土地或建築物進行的用途或發展，是圖則所經常准許的。如擬對這類用途作出任何實質改變，或擬進行任何其他發展(對有關土地或建築物已完成的發展作出輕微改動及／或修改是經常准許的，不在此限)，則必須是圖則所經常准許的，又或必須符合城市規劃委員會所批給許可的內容。
- (5) 除上文第(3)或(4)段適用的情況外，任何在圖則涵蓋範圍內，以及亦在有關發展審批地區草圖的涵蓋範圍內的用途或發展，除非是圖則所經常准許者，否則在有關發展審批地區草圖的公告在憲報首次刊登該日或以後，若未經城市規劃委員會批給許可，一律不得進行或繼續進行。
- (6) 除城市規劃委員會另有訂明外，凡圖則經常准許或依據城市規劃委員會所批給許可而已經展開或實質改變用途，或已經進行發展或重建，則城市規劃委員會就該地點所批給的一切與用途或實質改變用途或發展或重建有關的許可，即告失效。
- (7) 進行詳細規劃時，道路的路線，以及各個地帶的界線，可能需要略為調整。

STKDRC-TIS/SLP/D1
~~S/N/E SLP/D~~

- (8) 以下是圖則涵蓋範圍內的土地上經常准許的用途或發展，但(a)在個別地帶《註釋》第二欄所載的用途或發展；或(b)下文第(9)段有關「自然保育區」地帶的條文另有規定者則除外：

- (a) 建築物的保養、修葺或拆卸工程；
- (b) 植物苗圃、美化種植、休憩用地、避雨處、小食亭、行人徑、巴士／公共小型巴士車站或路旁停車處、單車徑、的士站、公用事業設施管道、電線杆、電燈柱、電話亭、電訊無線電發射站、自動櫃員機和神龕的提供、保養或修葺工程；
- (c) 道路、水道、大溝渠、污水渠和排水渠的保養或修葺工程；
- (d) 由政府統籌或落實的土力工程、地區小工程、道路工程、排污工程、渠務工程、環境改善工程、與海事有關的設施和水務工程(配水庫工程除外)及其他公共工程；
- (e) 新界豁免管制屋宇的翻建；
- (f) 以新界豁免管制屋宇取代現有住用建築物(即在有關發展審批地區草圖的公告在憲報首次刊登該日已經存在的住用建築物)；以及
- (g) 已獲得政府給予許可的新界原居村民或本地漁民及其家人等的墳墓的建造、保養或修葺工程。

~~(9) 在劃作「自然保育區」地帶的土地上：~~

- ~~(a) 以下是經常准許的用途或發展：~~
 - ~~(i) 植物苗圃、美化種植、休憩處、避雨處、小食亭、道路、水道、大溝渠、公用事業設施管道、電線杆、電燈柱、電話亭、神龕和墳墓的保養或修葺工程；~~
 - ~~(ii) 由政府統籌或落實的土力工程、地區小工程、道路工程、排污工程、渠務工程、環境改善工程、與海事有關的設施、水務工程(配水庫工程除外)及其他公共工程；以及~~
 - ~~(iii) 由政府提供的美化種植；以及~~
- ~~(b) 以下是必須向城市規劃委員會申請許可的用途或發展：~~
 - ~~植物苗圃、美化種植(由政府提供的除外)、休憩處、避雨處、小食亭、行人徑、公用事業設施管道、電線杆、電燈柱、電話亭和神龕的提供。~~

- (10) 圖上顯示為「道路」的地方，除上文第(8)(a)至(8)(d)和(8)(g)段所載的用途或發展及下列用途外，所有其他用途或發展必須向城市規劃委員會申請許可：

道路和路旁車位。

- (11) ~~(a)~~ 在「自然保育區」地帶以外的任何土地或建築物，為期不超過兩個月的臨時用途或發展，如果無須進行地盤平整工程(填土或挖掘)，而且是下列用途或發展之一，即屬經常准許的用途或發展：

為嘉年華會、展會集市、外景拍攝、節日慶典、宗教活動或體育節目搭建的構築物。

- (b) 除第(11)(a)段另有規定外，任何土地或建築物的臨時用途或發展，如為期不超過三年，須向城市規劃委員會申請規劃許可。對於有關用途或發展，即使圖則沒有作出規定，城市規劃委員會仍可批給或拒絕批給許可，規劃許可的有效期限最長為三年；若城市規劃委員會批給許可，可能附加或不附加條件。然而，劃為「自然保育區」地帶的土地，不得作臨時的露天貯物及港口後勤用途。

- (c) 土地或建築物的臨時用途或發展，如為期超過三年，須根據圖則的規定向城市規劃委員會申請許可。

- (12) 除非另有訂明，准許的用途和發展在同一地帶內的所有附帶建築、工程和其他作業，以及所有直接有關並附屬於准許用途和發展的用途，均是經常准許的，無須另行申請規劃許可。

- (13) 除文意另有所指，或下述的明文規定外，這份《註釋》所使用的詞彙，具有《城市規劃條例》第1A條所給予該等詞彙的涵義。

「現有建築物」指一間實際存在，並符合任何有關法例及有關政府土地契約條款的建築物(包括構築物)。

「新界豁免管制屋宇」指獲得根據《建築物條例(新界適用)條例》(第121章)第III部的規定發出豁免證明書以豁免其建築工程的住用建築物(賓館及酒店除外)，或主要用作居住(賓館及酒店除外)但建築物的地面一層可能闢作「商店及服務行業」或「食肆」的建築物。

附件 III

沙頭角區鄉事委員會

建議修定 - 鎖羅盆分區計劃大綱草圖編號 STKDRC-TTS/SLP/D1

土地用途表

鄉村式發展

綠化地帶

農業

康樂

政府/機構或社區

第一欄 經常准許的用途	第二欄 須先向城市規劃委員會申請，可能在有附帶條件或無附帶條件下獲准的用途
<p>農業用途 政府用途(只限報案中心、郵政局) 屋宇(只限新界豁免管制屋宇) 農地住用構築物 宗教機構(只限宗祠) 鄉事委員會會所／鄉公所</p>	<p>墓地 食肆 分層住宅 政府垃圾收集站 政府用途(未另有列明者) # 酒店(只限度假屋) 屋宇(未另有列明者) 機構用途(未另有列明者) # 街市 康體文娛場所 私人會所 政府診所 公廁設施 公用事業設施裝置 # 公眾停車場(貨櫃車除外) 宗教機構(未另有列明者) # 住宿機構 # 學校 # 商店及服務行業 社會福利設施 # 私人發展計劃的公用設施裝置</p>

除以上所列，在新界豁免管制屋宇的地面一層，經常准許的用途亦包括：

食肆
圖書館
學校
商店及服務行業

規劃意向

此地帶的規劃意向，是就現有的認可鄉村和適宜作鄉村擴展的土地劃定界線。地帶內的土地，主要預算供原居村民興建小型屋宇之用。設立此地帶的目的，亦是要把鄉村式發展集中在地帶內，使發展模式較具條理，而在土地運用及基礎設施和服務的提供方面，較具經濟效益。在新界豁免管制屋宇的地面一層，有多項配合村民需要和鄉村發展的商業和社區用途列為經常准許的用途。其他商業、社區和康樂用途，如向城市規劃委員會申請許可，或會獲得批准。

備註

- (a) 任何新發展，或任何現有建築物的加建、改動及／或修改，或現有建築物的重建(發展或重建作註有#的用途除外)，不得引致整個發展及／或重建計劃的最高建築物高度超過三層(8.23 米)，或超過在這份發展審批地區草圖的公告在憲報刊登該日已經存在的建築物的高度，兩者中以數目較大者為準。
- (b) 城市規劃委員會如接獲根據《城市規劃條例》第 16 條提出的申請，可按個別發展或重建計劃的情況，考慮略為放寬上文(a)段所述的建築物高度限制。
- (c) 在這份發展審批地區草圖的公告在憲報刊登該日或以後，如未取得城市規劃委員會根據《城市規劃條例》第 15 條批給的許可，不得進行或繼續進行任何河道改道或填塘工程，包括為改作上文第一欄和第二欄所列的任何用途，或《註釋》說明頁所經常准許的用途或發展(由政府統籌或落實的公共工程，以及保養、修葺或翻建工程除外)而進行或繼續進行者。

第一欄 經常准許的用途	第二欄 須先向城市規劃委員會申請，可能在有附帶條件或無附帶條件下獲准的用途
農業用途 燒烤地點 政府用途(只限報案中心) 自然保護區 自然教育徑 農地住用構築物 野餐地點 公廁設施 帳幕營地 野生動物保護區 墓地	動物寄養所 播音室、電視製作室及／或電影製作室 靈灰安置所(只限設於宗教機構內或現有靈灰安置所的擴建部分) 火葬場(只限設於宗教機構內或現有火葬場的擴建部分) 郊野學習／教育／遊客中心 練靶場 分層住宅 高爾夫球場 政府垃圾收集站 政府用途(未另有列明者) 直升機升降坪 度假營 屋宇(根據《註釋》說明頁准許翻建新界豁免管制屋宇或以新界豁免管制屋宇取代現有住用建築物者除外) 加油站 康體文娛場所 公共車輛總站或車站 公用事業設施裝置 公眾停車場(貨櫃車除外) 雷達、電訊微波轉發站、電視及／或廣播電台發射塔裝置 宗教機構 住宿機構 鄉事委員會會所／鄉公所 學校 配水庫 社會福利設施 私人發展計劃的公用設施裝置 動物園

(請看下頁)

規劃意向

此地帶的規劃意向，主要是利用天然地理環境作為市區和近郊的發展區的界限，以抑制市區範圍的擴展，並提供土地作靜態康樂場地。根據一般推定，此地帶不宜進行發展。

備註

在這份發展審批地區草圖的公告在憲報刊登該日或以後，如未取得城市規劃委員會根據《城市規劃條例》第 16 條批給的許可，不得進行或繼續進行任何河道改道、填土／填塘或挖土工程，包括為改作上文第一欄和第二欄所列的任何用途，或《註釋》說明頁所經常准許的用途或發展（由政府統籌或落實的公共工程，以及保養、修葺或翻建工程除外）而進行或繼續進行者。

第一欄 經常准許的用途	第二欄 須先向城市規劃委員會申請，可能在有附帶條件或無附帶條件下獲准的用途
農業用途 政府用途(只限報案中心/警崗) 農地住用構築物 公廁設施 宗教機構(只限宗祠) 鄉事委員會會所/鄉公所	動物寄養所 燒烤地點 墓地 郊野學習/教育/遊客中心 政府垃圾收集站 政府用途(未另有列明者) 屋宇(只限新界豁免管制屋宇，根據 (註釋)說明頁准許翻建新界 豁免管制屋宇或以新界豁免管制 屋宇取代現有住用建築物者除外) 野營地點 康體文娛場所(只限騎術學校、 休閒農場) 公用事業設施裝置 宗教機構(未另有列明者) 學校 私人發展計劃的公用設施裝置

規劃意向

此地帶的規劃意向，主要是保存和保護良好的農地/農場，以便作農業用途。設立此地帶的目的，亦是要保存在復耕及作其他農業用途方面具有良好潛力的休耕農地。

備註

在這份發展審批地區草圖的公告在憲報刊登該日或以後，如未取得城市規劃委員會根據《城市規劃條例》第16條批給的許可，不得進行或繼續進行任何河道改道或填土/填塘工程，包括為改作上文第一欄和第二欄所列的任何用途，或(註釋)說明頁所經常准許的用途或發展(由政府統籌或落實的公共工程，以及保養、修葺或翻建工程除外)而進行或繼續進行者。這限制並不適用於政府部門事先以書面指示特別要求進行的填土工程，或為下面所列目的而進行的填土工程：

- (i) 為耕種而鋪上厚度不超過1.2米的泥土；或
- (ii) 建造已事先獲地政總署發給批准書的任何農用構築物。

第一欄

經常准許的用途

第二欄

須先向城市規劃委員會申請，可能在有附帶條件或無附帶條件下獲准的用途

農業用途
燒烤地點
郊野學習／教育／遊客中心
政府用途(只限報案中心/警崗)
度假營
農地住用構築物
野餐地點
康體文娛場所
公廁設施
鄉事委員會會所／鄉公所
帳幕營地

室內康樂中心
公園及花園
小食亭
划艇中心
政府垃圾收集站
船隻停泊處
碼頭
直升機升降坪
水族館
植物公園
海上活動中心
學校
酒樓餐廳
零售商店

動物寄養所
播音室、電視製作室及／或電影製作室
食肆
分層住宅
高爾夫球場

政府用途(未另有列明者)

酒店
屋宇(根據《註釋》說明頁准許翻建新界豁免管制屋宇或以新界豁免管制屋宇取代現有住用建築物者除外)
娛樂場所
私人會所
公用事業設施裝置
公眾停車場(貨櫃車除外)
宗教機構
住宿機構
商店及服務行業
主題公園
私人發展計劃的公用設施裝置
動物園

(請看下頁)

規劃意向

此地帶的規劃意向，主要是進行康樂發展，為市民提供所需設施，從而促進動態及／或靜態康樂活動和旅遊／生態旅遊的發展。康樂發展的配套用途，如申請規劃許可，或會獲得批准。

備註

- (a) 任何住宅發展(新界豁免管制屋宇除外)不得引致整個發展計劃的最高地積比率超過 0.2 倍及最高建築物高度超過兩層。
- (b) 城市規劃委員會如接獲根據《城市規劃條例》第 16 條提出的申請，可按個別發展或重建計劃的情況，考慮略為放寬上文(a)段所述有關地積比率/建築物高度的限制。
- (c) 在這份發展審批地區草圖的公告在憲報刊登該日或以後，如未取得城市規劃委員會根據《城市規劃條例》第 16 條批給的許可，不得進行或繼續進行任何河道改道或填塘工程，包括為改作上文第一欄和第二欄所列的任何用途，或《註釋》說明頁所經常准許的用途或發展(由政府統籌或落實的公共工程，以及保養、修葺或翻建工程除外)而進行或繼續進行者。

第一個 經常准許的用途	第二欄 須先向城市規劃委員會申請，可能在有附帶 條件或無附帶條件下獲准的用途
救護站 食堂 診療所／分科診療所 熟食中心 教育機構 展覽或會議廳 消防局 政府垃圾收集站 政府用途(未另有列明者) 室內康樂中心 街市 公園及花園 康體文娛場所 植物苗圃 運動場 報案中心／警崗 警署 郵政局 公廁 公共圖書館 公共車輛總站或車站 公用事業設施裝置 公眾停車場 宗教機構 鄉事委員會會所／鄉公所 學校 配水庫 神龕 社會福利設施	銀行 快餐店 紀念花園 直升機升降坪 公眾娛樂場所 私人會所 雷達、電訊微波轉發站、電視及／或 廣播電台發射塔裝置 垃圾處理裝置 住宿機構 酒樓餐廳 零售商店 服務行業 污水抽水站 員工宿舍 私人發展計劃的公用設施裝置 貨倉／倉庫 抽水站

規劃意向

此地帶的規劃意向，主要是提供政府、機構或社區設施，以配合當地居民及／或該地區、區域，以至全港的需要；以及是供應土地予政府、提供社區所需社會服務的機構和其他機構，以供用於與其工作直接有關或互相配合的用途。

Annex III

格式化: 字型: 粗體, 底線

格式化: 允許文字在單字中央換行

SHA TAU KOK DISTRICT RURAL COMMITTEE – PROPOSED AMENDMENTS
DRAFT SO LO PUN OUTLINE ZONING PLAN NO. STKDRC-TTSS/ NE-SLP/DI

格式化: 字型: 粗體, 全部大寫

格式化: 不加底線

格式化: 字型: 粗體, 全部大寫

格式化: 不加底線

(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) Alignment of roads and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.
- (8) The following uses or developments are always permitted on land falling within the boundaries of the Plan except (a) where the uses or developments are specified in Column 2 of the Notes of individual zones or (b) as provided in paragraph (9) in relation to areas zoned "Conservation Area":
- (a) maintenance, repair or demolition of a building;
 - (b) provision, maintenance or repair of plant nursery, amenity planting, open space, rain shelter, refreshment kiosk, footpath, bus/public light bus stop or lay-by, cycle track, taxi rank, public utility pipeline, electricity mast, lamp pole, telephone booth, telecommunications radio base station, automatic teller machine and shrine;
 - (c) maintenance or repair of road, watercourse, nullah, sewer and drain;
 - (d) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities and waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government;
 - (e) rebuilding of New Territories Exempted House;
 - (f) replacement of an existing domestic building, i.e. a domestic building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, by a New Territories Exempted House; and
 - (g) provision, maintenance or repair of a grave of an indigenous New Territories villager or a locally based fisherman and his family members for which permission has been obtained from Government.

~~(9) In areas zoned "Conservation Area",~~

~~(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 (filling or excavation) is carried out and that the use or development is a use or development specified below:~~

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

- (b) Except as otherwise provided in paragraph (11)(a), and subject to temporary uses for open storage and port back-up purposes which are prohibited in areas zoned "Conservation Area", 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).

SHA TAU KOK DISTRICT RURAL COMMITTEE
PROPOSED AMENDMENTS -
DRAFT SO LO PUN OUTLINE ZONING PLAN NO.
STKDRC-TTS/SAE-SLP/D1

← 格式化: 內文

Schedule of Uses

Page ← 格式化表格

VILLAGE TYPE DEVELOPMENT	1
GREEN BELT	3
CONSERVATION AREA <u>AGRICULTURE</u>	5
<u>RECREATION</u>	
<u>GOVERNMENT, INSTITUTION OR COMMUNITY</u>	

VILLAGE TYPE DEVELOPMENT

Proposed Version

格式化: 不加底線

格式化: 靠左, 定位停駐點: 36.15 字元, 左

格式化: 上: 3.5 cm

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. 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.

GREEN -BELT

Proposed Version

格式化: 不加底線

格式化: (中文) 中文 (台灣)

格式化表格

Column 1
Uses always permitted

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

格式化: 置中

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
Burial Ground

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

← --- 格式化: 間距 套用前: 0 pt, 行距: 單
行間距

← --- 格式化: 縮排: 左: 0 cm, 凸出: 5.69
字元, 定位停駐點: 不在 231 字元

← --- 格式化: 定位停駐點: 不在 231 字元

← --- 格式化: 行距: 單行間距, 在段落
中分頁

← --- 格式化: 行距: 單行間距, 在段落
中分頁

← --- 格式化: 行距: 單行間距, 在段落
中分頁

← --- 格式化: 內文, 左右對齊, 行距: 單
行間距, 與下段同頁, 在段落中分頁

← --- 格式化: 行距: 單行間距, 在段落
中分頁

← --- 格式化: 內文, 左右對齊, 行距: 單
行間距, 與下段同頁, 在段落中分頁

← --- 格式化: 行距: 單行間距, 在段落
中分頁

Green Belt (Cont'd)
(Please see next page)

← 格式化: 置中

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.

← --- 格式化: 標題, 靠左, 行距: 固定行高
15 pt, 段落中不分頁, 定位停駐點:
36.15 字元, 左

AGRICULTURE

Proposed Version

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/Police Post 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 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 for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

(Please see next page)

格式化: 字型: Times New Roman, 12 點, 非粗體, 不加底線

格式化: 字型: Times New Roman, 非粗體, (中文) 中文 (台灣)

格式化: 字型: Times New Roman, 12 點, 非粗體, 不加底線, (中文) 中文 (台灣)

格式化: 字型: 12 點

格式化: 行距: 固定行高 15 pt, 段落中不分頁

格式化: 字型: 12 點

格式化: 字型: 12 點

格式化: 字型: 12 點

格式化: 靠左, 縮排: 左: 0 cm, 凸出: 3.6 字元, 間距 套用前: 0 pt, 行距: 固定行高 15 pt, 段落中不分頁, 定位停駐點: 不在 3.6 字元

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格式化: 字型: 12 點, 非斜體

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格式化: 字型: 12 點

格式化: 靠左, 縮排: 左: 0 cm, 凸出: 3.6 字元, 行距: 固定行高 15 pt, 段落中不分頁

格式化: 字型: 12 點

格式化: 字型: 12 點

格式化: 字型: 12 點, 英文 (美國)

格式化: 行距: 固定行高 15 pt, 段落中不分頁

格式化: 字型: 12 點

格式化: 內文, 左右對齊

Remarks

Any filling of land/pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the 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.

格式化: 字型: 12 點, 英文 (美國)

格式化: 字型: 12 點

格式化: 字型: 12 點, 非斜體

格式化: 字型: 12 點

格式化: 行距: 固定行高 15 pt, 段落中不分頁

格式化: 字型: 12 點

格式化: 字型: 12 點, 非加寬 / 緊縮

格式化: 縮排: 左: 0 cm, 凸出: 2.02 字元

格式化: 字型: 12 點

格式化: 標題, 靠左, 行距: 固定行高 15 pt, 段落中不分頁, 定位停駐點: 36.15 字元, 左

RECREATION

Proposed Version

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/Police Post 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 Use (not elsewhere specified)
Hotel
House (other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes.)

Indoor Recreation Centre
Park and Garden
Refreshment Kiosk
Boating Centre
Government Refuse Collection Point
Marine Berth
Pier
Helicopter Landing Pad
Aquarium
Botanical Garden
Water Sports Centre
School
Restaurant
Retail Shop

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

格式化: 字型: Times New Roman, 12 點, 非粗體, 不加底線

格式化: 字型: Times New Roman, 12 點, 非粗體, 不加底線, (中文) 中文 (台灣)

格式化: 行距: 固定行高 15 pt, 段落中不分頁

格式化: 字型: 12 點

格式化: 字型: 12 點

格式化: 字型: 12 點

格式化: 靠左, 縮排: 左: 0 cm, 第一行: 0 cm, 間距 套前: 0 pt, 行距: 固定行高 15 pt, 段落中不分頁, 定位停駐點: 不在 3.6 字元

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格式化: 靠左, 行距: 固定行高 15 pt, 段落中不分頁, 定位停駐點: 不在 3.6 字元

格式化: 字型: 12 點, 非斜體

格式化: 字型: 12 點

(Please see next page)

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.

格式化: 字型: 12 點, 英文 (美國)

格式化: 字型: 12 點, 非斜體

格式化: 行距: 固定行高 15 pt, 段落中不分頁

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.

格式化: 字型: 12 點, 英文 (美國)

格式化: 字型: 12 點, (中文) 中文 (香港特別行政區)

格式化: 縮排: 左: 0 cm, 凸出: 7.2 字元, 行距: 固定行高 15 pt, 段落中不分頁

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

格式化: 字型: 12 點, 非斜體, (中文) 中文 (香港特別行政區)

格式化: 字型: 12 點, 非斜體, (中文) 中文 (香港特別行政區), 非上標/下標

格式化: 字型: 12 點, (中文) 中文 (香港特別行政區)

(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 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.

格式化: 字型: 12 點, (中文) 中文 (香港特別行政區)

格式化: 字型: 12 點, (中文) 中文 (香港特別行政區)

格式化: 字型: 12 點, 非斜體, (中文) 中文 (香港特別行政區)

GOVERNMENT, INSTITUTION OR COMMUNITY		Proposed Version
Column 1	Column 2	
Uses always permitted	Uses that may be permitted with or without conditions on application to the Town Planning Board	
Ambulance Depot	Bank	格式化: 字型: Times New Roman, 12 點, 非粗體, 不加底線
Canteen	Fast Food Shop	格式化: 字型: Times New Roman, 12 點, 非粗體, 不加底線, (中文) 中文 (台灣)
Clinic/Polyclinic	Garden of Remembrance	格式化: 字型: 12 點
Cooked Food Centre	Helicopter Landing Pad	格式化: 行距: 固定行高 15 pt, 段落中不分頁
Educational Institution	Place of Public Entertainment	格式化: 字型: 12 點
Exhibition or Convention Hall	Private Club	格式化: 縮排: 左: 0 cm, 凸出: 3.6 字元, 間距 套用前: 0 pt, 行距: 固定行高 15 pt, 段落中不分頁, 定位停駐點: 不在 3.6 字元
Fire Station	Radar, Telecommunications Electronic	格式化: 字型: 12 點, 英文 (美國)
Government Refuse Collection Point	Microwave Repeater, Television	格式化: 字型: 12 點, 英文 (美國)
Government Use (not elsewhere specified)	and/or Radio Transmitter Installation	格式化: 縮排: 左: 0 cm, 凸出: 3.6 字元, 行距: 固定行高 15 pt, 段落中不分頁
Indoor Recreation Centre	Refuse Disposal Installation	格式化: 字型: 12 點, 英文 (美國)
Market	Residential Institution	格式化: 字型: 12 點, 英文 (美國), 非刪除線
Park and Garden	Restaurant	格式化: 字型: 12 點, 英文 (美國)
Place of Recreation, Sports or Culture	Retail Shop	格式化: 英文 (美國)
Plant Nursery	Service Trades	格式化: 英文 (美國)
Playground/Playing Field	Sewage Pumping Station	格式化: 左右對齊, 縮排: 左: 0 cm, 凸出: 3.6 字元
Police Reporting Centre/Police Post	Staff Quarters	格式化: 英文 (美國)
Police Station	Utility Installation for Private Project	格式化: 英文 (美國)
Post Office	Warehouse/Godown	格式化: 英文 (美國)
Public Toilet	Water Pumping Station	格式化: 字型: 12 點, 英文 (美國)
Public Library		格式化: 英文 (美國)
Public Transport Terminus or Station		格式化: 字型: 12 點, 英文 (美國)
Public Utility Installation		格式化: 字型: 12 點, 英文 (美國)
Public Vehicle Park		格式化: 縮排: 左: 0 cm, 凸出: 3.6 字元, 行距: 固定行高 15 pt, 段落中不分頁, 定位停駐點: 不在 3.6 字元
Religious Institution		格式化: 字型: 12 點, 英文 (美國)
Rural Committee/Village Office		格式化: 字型: 12 點, 非粗體, 非斜體, 英文 (美國)
School		格式化: 字型: 12 點, 英文 (美國)
Service Reservoir		格式化: 字型: 12 點, 英文 (美國)
Shrine		格式化: 字型: 12 點, 英文 (美國)
Social Welfare Facility		格式化: 字型: 12 點, 英文 (美國)
		格式化: 字型: 12 點, 英文 (美國), 非刪除線
		格式化: 字型: 12 點, 英文 (美國)
		格式化: 字型: 12 點, 英文 (美國)
		格式化: 字型: 12 點, 英文 (美國), 非刪除線
		格式化: 置中, 行距: 固定行高 15 pt, 段落中不分頁, 定位停駐點: 不在 6 字元

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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.

CONSERVATION AREA

格式化: 字型: Times New Roman, 12 點, 非粗體

格式化: 字型: 12 點

格式化: 本文 3, 靠左, 間距 套用前: 6 pt

格式化: 字型: 12 點

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use (other than Plant Nursery)	Field Study/Education/Visitor Centre
Nature Reserve	Government Refuse Collection Point
Nature Trail	Government Use
On-Farm Domestic Structure	House (Redevelopment only)
Wild Animals Protection Area	Public Convenience
	Public Utility Installation
	Radar, Telecommunications Electronic
	Microwave Repeater, Television and/or
	Radio Transmitter Installation

Planning Intention

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

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

(Please see next page)

CONSERVATION AREA (Cont'd)

Remarks

- (a) — No redevelopment, including alteration and/or modification, of an existing house shall result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan.
- (b) — Any diversion of 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.

← --- 格式化: 左右對齊, 縮排: 左: 0 cm,
凸出: 7.2 字元

鎖羅盆村委員會

SO LO PUN VILLAGE COMMITTEE

臨時通信地址：

電話 TEL : (852)

TEMP. ADD :

有關鎖羅盆分區計劃大綱草圖編號 S/NE-SLP/D 之意見

致 吳育民先生（政府規劃處-沙田, 大埔及北區規劃處 高級城市規劃師）
城市規劃委員會秘書處

我們為新界沙頭角鎖羅盆村代表全體原居民的鎖羅盆村委員會，經香港警察社團註冊處，註冊為一合法社團，成立至今已近六年。

在五月十五日出席了沙頭角鄉事委員會諮詢會後得知貴處擬定了一份鎖羅盆分區計劃大綱草圖，編號為 S/NE-SLP/D，把我村絕大部份私人土地，規劃為綠化地帶及自然保育區。

本村委員會於五月廿六日召開緊急會議，商討貴處對本村的規劃大綱草圖。
一致強烈反對貴處對本村無理的規劃。

我們反對的主要理由如下，

根據基本法：

第六條：香港特別行政區依法保護私有財產權。

第四十條：“新界”原居民的合法傳統權益受香港特別行政區的保護。

第五章一百零五條：

香港特別行政區依法保護私人和法人財產的取得、使用、處置和繼承的權利，以及依法徵用私人和法人財產時被徵用財產的所有人得到補償的權利。徵用財產的補償應相當於該財產當時的實際價值，可自由兌換，不得無故遲延支付。

企業所有權和外來投資均受法律保護。

但從貴處對本村的規劃大綱草圖中，竟然把我村大部份私人土地規劃為綠化地帶及自然保育區。變相把我們的私人土地的價值貶低，變得幾乎一文不值，我們的損失應向誰人追討呢？

特區政府本應保護私人和法人財產，怎能向我們弱小而佔少數的村民以強凌弱，以大衆壓少衆來規劃我們的私人土地，犧牲我們的利益呢！

希望 貴處能體察民情，取消這種以保育為名強搶民產為實的規劃。

鎖羅盆村村長暨鎖羅盆村委員會主席



黃冠明(秘書黃慶祥代行)

2013 年 5 月 30 日

幅本送：新界鄉議局主席劉皇發先生
沙頭角區鄉事委員會主席李冠洪先生
北區區議會主席蘇西智先生
北區民政事務處-民政事務專員尤建中太平紳士

通信地址：

[Redacted address lines]

聯絡電話：[Redacted] (鎖羅盆村村長暨鎖羅盆村委員會主席 黃冠明)
[Redacted] (鎖羅盆村委員會秘書黃慶祥)

(Translation)

SO LO PUN VILLAGE COMMITTEE

Temp. Add: [REDACTED]
Tel.: (852) [REDACTED]

Comments on Draft So Lo Pun Outline Zoning Plan No. S/NE-SLP/D

To: Mr. NG Yuk-man, Senior Town Planner / Sha Tin, Tai Po and North District Planning Office
The Secretariat, Town Planning Board

We are So Lo Pun Village Committee, representing all indigenous inhabitants of So Lo Pun Village in Sha Tau Kok, the New Territories. We are a legitimate organization registered under the Societies Office, Hong Kong Police Force almost six years ago.

On 15th May, after attending the consultative meeting convened by the Sha Tau Kok Rural Committee, we learnt that your department has prepared a Draft So Lo Pun Outline Zoning Plan No. S/NE-SLP/D, zoning the vast majority of our private lands as Green Belt and Conservation Area.

On 26th May, our Village Committee has held an urgent meeting to discuss your draft OZP on our Village. **We unanimously object to the unreasonable planning of our Village.**

Our main reasons for objection are as follows:

According to the Basic Law,

Article 6

The Hong Kong Special Administrative Region shall protect the right of private ownership of property in accordance with law.

Article 40

The lawful traditional rights and interests of the indigenous inhabitants of the "New Territories" shall be protected by the Hong Kong Special Administrative Region.

Article 105, Chapter V

The Hong Kong Special Administrative Region shall, in accordance with law, protect the right of individuals and legal persons to the acquisition, use, disposal and inheritance of property and their right to compensation for lawful deprivation of their property.

Such compensation shall correspond to the real value of the property concerned at the time and shall be freely convertible and paid without undue delay.

The ownership of enterprises and the investments from outside the Region shall be protected by law.

Yet according to your draft OZP on our Village, the vast majority of our private lands are zoned as Green Belt and Conservation Area. This has invariably reduced the value of our private land to almost zero. To whom can we claim our loss?

The HKSAR Government should protect the property of individuals and body corporate. How come you bully us, a minority group of powerless villagers, and high-handedly plan our private land and sacrifice our interests!

We hope your Department can appreciate our plight and revoke this kind of exploitative planning disguised as conservation.

WONG Hing-cheung,
Secretary
for WONG Koon-ming,
Village Representative of So Lo Pun Village cum
Chairman of the So Lo Pun Village Committee
(Chop of the So Lo Pun Village Committee affixed)
30.5.2013

c.c. Mr. LAU Wong-fat, Chairman of Heung Yee Kuk, N.T.
Mr. LEE Hung-koon, Chairman of Sha Tau Kok Rural Committee,
Mr. SO Sai-chi, Chairman of North District Council,
Mr. YAU Kin-chung, J.P., District Officer, North District Office

Correspondence address:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Contact tel. no.

[REDACTED] (WONG Koon-ming, Village Representative of So Lo Pun Village cum
Chairman of the So Lo Pun Village Committee)

[REDACTED] (WONG Hing-cheung, Secretary of So Lo Pun Village Committee)

鎖羅盆村委員會 SO LO PUN VILLAGE COMMITTEE

臨時通信地址：

電話 TEL : (852)

TEMP. ADD : 26A Block 6, Grand Regentville, No. 9, Wo Mun St, Luen Wo Hui, Fanling, N.T. Hong Kong

致沙頭角鄉事委員會主席，各委員及各村長

相信各位從城規會規劃本村的文件及大綱圖中得知本村絕大部份土地，佔份之九十以上，被規劃為綠化地帶及自然保育區，其中自然保育區的 8.01 公頃土地，95% 以上為本村村民的私人土地，而綠化地帶中也有近 35% 為私人土地，而留給本村村民作鄉村式發展用的土地，只佔 9.10%，而且大部份是原有的舊屋，（請參閱圖一及二）。這種綠化式及保育式的規劃，等同充公我等祖先辛苦開墾得來的土地，真是天地不容，人神共憤。

我們認為在我們這種遠離市區而又偏僻的鄉村地方，規劃為綠化地帶及自然保育區是多餘的。它只是用來扼殺我村生存的空間，把我祖先辛苦開墾得來的土地回復自然，美其名為保護環境，事實就是任由它自生自滅。因為在缺乏了原居民的保護下，這些地方很容易便給外來人士破壞，例如斬香樹，捉烏龜，更甚者還有電魚及毒魚等。可來保育可言呢？

保育或保護一個地方是要靠人去做，不是用紙寫就可以夢想成真。

我除了代表我村村民強烈反對外，也請各鄉事委員及村長，為了保護我等祖先辛苦開墾得來及養活我們無數代人的土地，趁這諮詢機會，一同發聲，向政府說“不”。

多謝

沙頭角鄉事委員會主席，各委員及村長

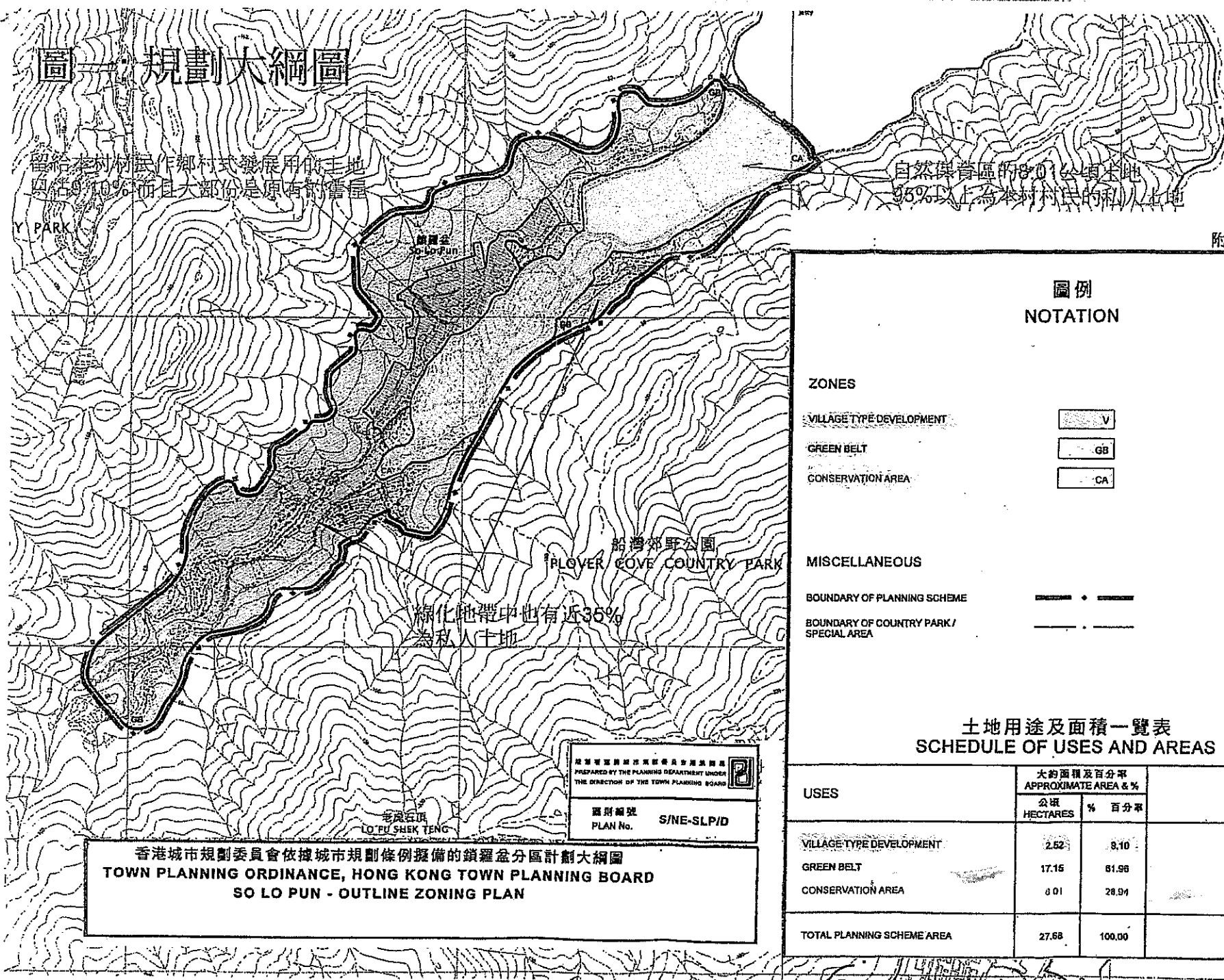
鎖羅盆村村長暨鎖羅盆村委員會主席



黃冠明

2013 年 5 月 15 日

圖一 規劃大綱圖



附件一 Appendix I

圖例 NOTATION

ZONES

VILLAGE TYPE DEVELOPMENT

V

GREEN BELT

GB

CONSERVATION AREA

CA

地帶

鄉村式發展

綠化地帶

自然保育區

MISCELLANEOUS

BOUNDARY OF PLANNING SCHEME

— • —

BOUNDARY OF COUNTRY PARK /
SPECIAL AREA

— • —

其他

規劃範圍界線

郊野公園/
特別地區界線

土地用途及面積一覽表 SCHEDULE OF USES AND AREAS

USES	大約面積及百分率 APPROXIMATE AREA & %		用途
	公頃 HECTARES	% 百分率	
VILLAGE TYPE DEVELOPMENT	2.52	9.10	鄉村式發展
GREEN BELT	17.15	61.96	綠化地帶
CONSERVATION AREA	8.01	28.94	自然保育區
TOTAL PLANNING SCHEME AREA	27.68	100.00	規劃範圍總面積



香港城市規劃委員會
PREPARED BY THE PLANNING DEPARTMENT UNDER
THE DIRECTION OF THE TOWN PLANNING BOARD

圖則編號
PLAN No. S/NE-SLP/D

香港城市規劃委員會依據城市規劃條例擬備的鎖鑰盆分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
SO LO PUN - OUTLINE ZONING PLAN

(Translation)

SO LO PUN VILLAGE COMMITTEE

Temp. Add: 
Tel.: (852) 

To: Chairman and members of the Sha Tau Kok Rural Committee
Various Village Representatives

I believe from the Town Planning Board (TPB) document and the Outline Zoning Plan (OZP) regarding development of our Village, you have learnt that the vast majority (over 90%) of land in our Village is zoned at Green Belt and Conservation Area. Within the 8.01 hectares of Conservation Area, over 95% are private land owned by villagers of our Village. Even within the Green Belt, nearly 35% are private land. The land remained for village-type development by our villagers is just 9.1% of the total area, inclusive of a large part of land area already occupied by existing houses. (Please refer to photo 1 and photo 1) This kind of green and conservation planning is no different from confiscating us the land that our ancestors have laboriously opened up. It is a towering crime that arouses indignation by both man and god.

We are of the opinion that it is unnecessary to plan this kind of remote and isolated rural area as Green Belt and Conservation Area. This is just an excuse to eliminate our room for survival, taking back from us the land that our ancestors have laboriously opened up. To put it a nice way, they call it environmental protection. Yet the reality is the land would be left to the mercy of Mother Nature. Without the care and attention of the indigenous inhabitants, these areas are vulnerable to damage by outsiders, such as felling of incense trees and capture of tortoises. Worse still, electric fishing and poisoning of fish could happen. In what way can conservation be implemented?

Conservation and protection of an area demands human efforts. A dream cannot come true simply by doing paper works!

I, on behalf of inhabitants of our Village, raise strong objection to the proposal. I also urge various Rural Committees and Village Representatives to help us protect the land that our ancestors have laboriously opened up, which has fed us for generations. Please take this opportunity to voice out and say "NO" to the Government as a united front.

Thank you very much!

WONG Koon-ming (sd)
Village Representative of So Lo Pun Village and
Chairman of the So Lo Pun Village Committee
(Chop of the So Lo Pun Village Committee affixed)
15th May 2013

圖二：攝於60年代的鎖羅盆村舊相



Photo 1 Outline Zoning Plan

The land remained for village-type development by our villagers is just 9.1% of the total area, inclusive of a large part of land area already occupied by existing houses.

Within the 8.01 hectares of Conservation Area, over 95% are private land owned by villagers of our Village.

Even within the Green Belt, nearly 35% are private land.

Photo 2 Old photo of So Lo Pun Village taken in the 60s'

The land remained for village-type development by our villagers is just 9.1% of the total area, inclusive of a large part of land area already occupied by existing houses.

Even within the Green Belt, nearly 35% are private land.

Within the 8.01 hectares of Conservation Area, over 95% are private land owned by villagers of our Village.

鎖羅盆村委員會

SO LO PUN VILLAGE COMMITTEE

臨時通信地址：

TEMP. ADD :

TEL : (852)

So Lo Pun : Life or Death!

To all So Lo Pun Village fellows,

Today if we do not unite together to fight for our cause, more than 90% of our private land in So Lo Pun will be gone permanently, becoming Conservation Area and Green Belt! Like the restrictions set in the Country Park, we will lose our rights of ownership and use of land forever!

To help you who are born overseas and may not know Chinese very well, we are sending you this English version so that you can know what has happened to your home village. Please read the following patiently so that I can explain the major events to you.

The Beginning of So Lo Pun

In 1644 when the Qing invaders overthrew the Ming dynasty, our early ancestor Wong Wai Hing Kung was forced to leave the mainland in China and emigrate to the south, settling down in Lai Chee Wo village (near So Lo Pun) with the Tsang people. After three to four generations, the population had grown so much that the Wongs therefore decided to move to So Lo Pun.

For around 300 years, our ancestors prospered by making their living in fishing and farming. However due to the rapid development of urbanization in the 50s and 60s, people began to move away from So Lo Pun because of its inaccessible location and very basic living condition. There were no roads but only very inconvenient footpaths and limited boat trips between the village and Sha Tau Kok, a nearby town. People moved as far as overseas like you and your parents. This migration movement ended in the 70s when the village eventually became empty. Now some of us would still go back once or twice a year to pay our respect to our forefathers.

Recent Development

Starting from 2008, a group of us were determined to revive the village and clear the infamous name of "ghost village"! We chopped trees and cut grasses so that the hidden terrace fields and broken houses could once again be seen. However these actions upset some environmental protection groups and hikers so much that they complained about us to the Hong Kong SAR Government. As a result, our applications for village office, rain shelters, public toilets, dam repair, house repair, and even water supply, etc were all rejected. Our already planted fruit trees in our communal area were also felled. The government departments simply denied our rights of restoring our home village! In the worst case scenario, they even denied the existence of our village!

On 30th September 2010, according to the Town Planning Ordinance section 5, the Town Planning Board (TPB) commissioned by the Government, produced the Draft So Lo Pun Development

Permission Area Plan no. DPA/NE-SLP/1 and classified our village area as "Unspecified Use". It means that nothing can be done in this area until a permanent Outline Zoning Plan (OZP) is produced in three years' time, and **the deadline is 30 September 2013**. In response to the announcement of this DPA, we followed the official procedures in voicing our concerns by writing representations and comments to TPB and attending their meeting on 8 April 2011. Unfortunately, our voices have fallen on deaf ears!

In April this year, TPB produced a draft OZP no. S/NE-SLP/D and arranged a consultation meeting with the Sha Tau Kok District Rural Committee on 15 May 2013. In this draft plan, over 90% of the village is zoned as Green Belt or Conservation Area. In the 8.01 hectares of Conservation Area, more than 95% belongs to our private land. In the 17.15 hectares of Green Belt, close to 35% is also our property. What remains is only 9.1% (2.52 hectares) of mainly ruin houses for our village use. They zoned it as Village Zone. In other words, nearly all our farmland is gone! **Please refer to the map for details.**

This environment-oriented zoning is basically confiscating our private land which was cultivated with sweat and tears by our ancestors over the centuries! They deny our ancestral efforts and devalue our land so that it returns to the nature. WE SIMPLY CAN'T TAKE IT!

According to Hong Kong Basic Law, HKSAR "shall protect the right of individuals and legal persons to the acquisition, use, disposal and inheritance of property" (Article 105). So how can the Government forcefully take away our property, deprive us of using our land with their supreme power just because we are a weak minority!

For the sake of safe-guarding our rights and protecting our land, our Committee, on behalf of all So Lo Pun villagers, has already issued letters to the relevant parties: Sha Tau Kok District Rural Committee, North District Council, and Heung Yee Kuk N.T. respectively to voice our OBJECTION! Now we appeal to you all to support the ONE PERSON ONE LETTER action, protesting against this unreasonable and unacceptable planning. To ease your efforts, you can simply

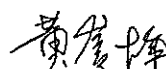
FOR OVERSEAS VILLAGERS

- (1) sign on the standard objection letter (in Chinese or English) and put down the date. Then send it to the Town Planning Board (TPB) with the addressed envelope with a proper stamp.
- (2) complete the questionnaire and send it to So Lo Pun Village Committee with the other addressed envelope with a proper stamp, so that we can collect your views and reflect them more accurately to the authorities concerned.

FOR HK VILLAGERS

- (1) sign on the standard objection letter (in Chinese or English) and put down the date. Then send it to the Town Planning Board (TPB) with the stamped and addressed envelope.
- (2) complete the questionnaire and send it to So Lo Pun Village Committee with the other stamped and addressed envelope so that we can collect your views and reflect them more accurately to the authorities concerned.

To protect our home village from being confiscated, please support this ONE PERSON ONE LETTER movement immediately!




Mr. Wong Hing Cheung (Secretary)
(for Mr. Wong Kwun Ming)

Village Representative of So Lo Pun
Chairperson of So Lo Pun Village Committee

黃承啟堂委員會

WONG SHING KAI TONG COMMITTEE

臨時通信地址：

TEMP. ADD: 

電話 TEL: (852)

傳真 FAX: (852)

有關鎖羅盆分區計劃大綱草圖編號 S/NE-SLP/D 之意見

致 吳育民先生（政府規劃處-沙田, 大埔及北區規劃處 高級城市規劃師）
城市規劃委員會秘書處

黃承啟堂委員會是新界沙頭角鎖羅盆村黃承啟堂子孫所成立的，已在香港警察社團註冊處，註冊為一合法社團，至今已成立近三年。

從沙頭角區鄉事委員會中，得知貴處擬定了一份鎖羅盆分區計劃大綱草圖，編號為 S/NE-SLP/D，把我村絕大部份私人土地，規劃為綠化地帶及自然保育區。

本祖堂委員會(黃承啟堂委員會)對貴處的規劃大綱草圖的意見如下。

查本祖堂歷代祖先辛苦經營得來，養活我們幾代人的良田，於貴處今次草擬的規劃中，絕大部份都被規劃為自然保育區及綠化地帶(請參閱附表)。這等於將我們的私人土地拿來公用，犧牲我們的利益。因為我們的土地被規劃為自然保育區及綠化地帶之後，價值便會大降。我們的損失，府政是否要負責呢？因為根據基本法，政府是有責任保護私人財產的。

附表：

約	位於自然保育區之地段	位於綠化地帶之地段	位於鄉村式發展用地之地段	位於郊野公園之地段
66	149, 168, 171, 188, 191, 202, 204, 208, 210, 212, 219, 222, 231, 265B	無	無	197A, 200
68	125, 135, 139, 171	168, 265, 287	72, 73	無

另外本村已位於偏遠的郊外，要步行三小時十五分才可抵達鹿頸，更被郊野公園包圍，本已與城市隔絕，開發無期。現至城規會不但未能替本村帶來一點希望，還更進一步設立綠化地帶及自然保育區，把我村重重包圍，使我們一些在村出世而有心復村的村民心願消滅，把我村推向萬劫不復之境地，意圖把我村回復自然，單方面滿足保育人仕之要求。

所以我代表黃承啟堂的子孫強烈反對貴處對本村無理的規劃 及

希望 貴處能從善如流，取消這種以保育為名，強搶民產為實的規劃。

黃承啟堂委員會



黃瑞明

主席 黃瑞明

2013年6月1日

WONG SHING KAI TONG COMMITTEE

Temp. Add: [REDACTED]

Tel.: (852) [REDACTED]

FAX: (852) [REDACTED]

Comments on Draft So Lo Pun Outline Zoning Plan No. S/NE-SLP/D

To: Mr. NG Yuk-man, Senior Town Planner,
Sha Tin, Tai Po and North District Planning Office
The Secretariat, Town Planning Board

Wong Shing Kai Tong Committee is set up by descendants of Wong Shing Kai Tong of So Lo Pun Village in Sha Tau Kok, N.T. We are a legitimate organization registered under the Societies Office, Hong Kong Police Force about three years ago.

We learnt from the Sha Tau Kok Rural Committee that your department has prepared a Draft So Lo Pun Outline Zoning Plan No. S/NE-SLP/D, zoning the vast majority of private lands in our Village as Green Belt and Conservation Area.

Our Tso Tong Committee (Wong Shing Kai Tong Committee) has the following comments on your Draft OZP.

The vast majority of precious farmlands that the ancestors of our "TsoTong" have laboriously worked on for generations to fend for us are rezoned as Conservation Area (CA) and Green Belt (GB) in this Draft Plan (please refer to the Annex). This is no different from taking our private lands for public use, compromising our interest. This is because after our lands are rezoned as CA and GB, the land value would drop sharply. Will the Government be accountable for this? According to the Basic Law, the Government shall protect the right of private ownership of property.

Annex:

D.D.	Lots located within CA	Lots located within GB	Lots located within V-zone	Lots located within Country Park
66	149, 168, 171, 188, 191, 202, 204, 208, 210, 212, 219, 222, 231, 265B	Nil	Nil	197A, 200
68	125, 135, 139, 171	168, 265, 287	72, 73	Nil

Moreover, our Village is located in a remote countryside. We need to walk for 3 hrs 15 mins in order to reach Luk Keng. The Village is also surrounded by Country Park, isolated from the town area and without any schedule of development. Not only that the Town Planning Board hasn't brought any hope to us, it goes further to enclose us in the middle. This has dashed the hope of enthusiastic indigenous inhabitants to revive the Village. The Government is pushing

our Village to a state beyond hope, trying to return our Village back to the nature to unilaterally satisfy the request of green activists.

Therefore, on behalf of the descendants of Wong Shing Kai Tong, **I strongly object to your unreasonable planning on our Village** and I hope your Department can accede to our demand of **revoking this kind of forcible planning on private properties disguised as conservation.**

(Sd) (Illegible)
WONG Sui-ming,
Chairman
Wong Shing Kai Tong Committee
(Chop of the Wong Shing Kai Tong Committee affixed)
1.6.2013



"YM Wong"

< [redacted] >

03/07/2013 下午 11:43

To <dymng@pland.gov.hk>

cc <ttschao@pland.gov.hk>

bcc

Subject Objection to the OZP of So Lo Pun Village S/NE-SLP/D

☐ High importance ☐ Return receipt ☐ Sign ☐ Encrypt

From: Mr. Yau Man Wong (黃佑民)

[redacted]
[redacted]
[redacted]

U.K. Correspondent Address:

[redacted]
[redacted]
[redacted]

Email: [redacted]

To: Mr. David Y. M. Ng
Senior Town Planner
Sha Tin, Tai Po & North District Planning Office
Planning Department, HKSAR
Room 2708, 27th Floor
Tsuen Wan Government Offices
38 Sai Lau Kok Road,
Tsuen Wan, N.Y. Hong Kong

02 July 2013

Subject: Outline Zoning Plan of So Lo Pun Village S/NE-SLP/D

Dear Mr. Ng,

Regarding your OZP S/NE-SLP/D ref So Lo Pun Village. I indigenous inhabitants of the village find it totally unreasonable and unacceptable which I utmost protest against the plan. In the OZP, the majority of our private land (more than 90%) is marked as Green Belt or Conservation Area. These acts would means to eroding the rights of use of our land and sentence our already weakening village to death, and deprive us from future developments!

Farming and fishing which were the basic live of us relied heavily for the past 300 years or more. We intend to revive our village to the original state. We'll need sufficient V Zone land to cope with our expanded villagers. We'll also need all our agricultural land to live on for the villagers. The OZP wouldn't be compatible for the future expansions of us Indigenous Villagers. The Government should encourage and help us to preserve our village life, not to destroy us by siding with the Conservation Groups and/or seemingly, to engage the harsh land-restraint policy of the Government.

My objectives are:

1. **Respect the lawful rights of the indigenous villagers.** According to Hong Kong Basic Laws and the promise of 50 years unchanged, this OZP is unlawful because it intends to rob our private land without compensations in the justification of protecting the environment.
2. **Reconsider expanding the Village Zone.** The initial VZ in the plan only includes the initial buildings and small part of terrace fields. There are not enough VZ lands to cope with our villagers' extended male descendants which are now in hundreds.
3. **Include AGR Zone.** Our farm lands should be zoned as AGR "Agriculture Zone".
4. **Support the idea of formulating Green Belt and Conservation Area OUTSIDE private land.** It is also our interest to be environmentally protectionist, but we need the balance between conservation and villagers' normal life.
5. **Compensation of our loss of lands use.** If the Government places high conservation value on our farmland, than exchange our land or suitable compensation could be possible.

Yours sincerely

Yau Man Wong



Y M Wong

27/05/2013 上午 10:58

To "dymng@pland.gov.hk" <dymng@pland.gov.hk>

cc "stkdr@gmail.com" <stkdr@gmail.com>

"

Subject 鎖羅盆分區計劃大綱草圖 S/NE-SLP/D

致香港特別行政區政府規劃署沙田大埔及北區規劃處
高級城市規劃師

吳育民先生：

本人黃佑民是鎖羅盆村黃氏家族第十一代後裔，也是出生於該村的原居民，關於S/NE-SLP/的規劃，據貴會於本月十五日在沙頭角鄉事委員會召開的會議，本人雖未

有正式邀請亦有在場旁聽，我認為貴會對我們村落的規劃，是非常之不公平，可知我們的家鄉自幾百年來都是一個偏僻的村落，沒有道路到，亦沒有得到政府甚麼主要如水電的機建，與城市完全隔絕，你們用城市規劃的法例來管制我們原始的鄉村，我們窮困的鄉村生活，加上你們強橫的法例，對我們重建家園來說，更是難上加難，難道人民的生存都比不上一些你們認為比較罕見的野生動物或植物重要嗎？

你們只在近年來才注重我們的鄉村，發現那些自然野生物種，但你可知道在我少時，甚至早前，已經有那些自然野生物，甚至比現在有更多更多的品種，那麼有何理由到現在就來管制我們？分明是以勢凌人，迫害民生。

你們要將面積8.01公頃的私人田地列入為自然保育區，其實是強搶我們的土地，我們私人的田地，地政藍圖已有Lot no. 列明，你需應該列明那個Lot no. 有那些要受保護的物種，不是任由某些團體隨意的偽說。就算其中有何罕有的動植物種，也是屬於我們私人所有，如果你們認為需要保育的話，我們是很歡迎你們前來協助而進行，或者除非你們收回我們的土地，否則沒有可能強迫我們犧牲自己的財產去滿足你們的保育。

我們的鄉村已有幾百年的歷史價值，也是社會值得應該去保留，我們應該繼續保存鄉村的存在，人類與自然生物共同生存，這才是真實的保育方法，破壞本村生態的人，並非本村村民，而是外來的破壞份子。

黃佑民

27/5/2013

c.c. 新界沙頭角區鄉事委員會，李冠洪議員

c.c. 鎖羅盆村委員會

Sent from my iPad

To: Mr. NG Yuk-man,
Senior Town Planner
Sha Tin, Tai Po and North District Planning Office
Planning Department,
HKSAR Government

I, WONG Yau-man, am the 11th generation descendant of the Wong family in So Lo Pun Village and an indigenous inhabitant born in the Village. Regarding Plan No. S / NE-SLP, though I was not formally invited to attend the Sha Tau Kok Rural Committee meeting held on 15th this month, I have sat in the meeting. I think the TPB is very unfair towards the planning of our Village. For centuries, our homeland has been a remote village. There is no road, no infrastructure such as water or electricity supply facilities built by the Government. The place is completely cut off from urban area. Now you are using urban planning legislation to regulate our indigenous village. We live a poor village life. With the intervention of your tyrannical laws, we find it harder and harder to rebuild our homes. Is our survival less important to the protection of relatively rare species of wild animals or plants considered by you?

You only pay attention to our Village and discover those natural wild species in recent years. Do you know that they have existed since my childhood, or even earlier? The species at that time were even more varied than the present day. How come you impose regulation on us now? It is a blatant bullying act to harass our livelihood.

Zoning of a private land area of 8.01 hectares as Conservation Area is in fact an act of robbing our land. Our private land is given lot no. on the maps prepared by the Lands Department. You should list out clearly which protected species are found in which particular lot, rather than referring to the false account supplied arbitrarily by certain groups. Even rare flora and fauna species do thrive there, they are part of our private properties. If you think you have to conserve them, we welcome your assistance in doing so. Unless you have resumed our land, otherwise, you cannot force us to sacrifice our own properties to meet your conservation plan.

Our village has several centuries of historical value. It is worthy of conservation by the community. We should continue to keep the existence of the Village. Human beings living harmoniously with the living organisms of the nature is the way for genuine conservation. Those who undermine the ecology of our Village are non-inhabitants of our Village but foreign saboteurs.

WONG Yau-man
27/5/2013

c.c. Councillor LEE Koon-hung, Sha Tau Kok District Rural Committee, N.T.
So Lo Pun Village Committee

Town Planning Department
Sha Tin, Tai Po & North District Planning Office
Room 2708, 27th Floor
Tsuen Wan Government Office
38 Sai Lau Kok Road
Tsuen Wan
New Territories
Hong Kong

Attention: Mr. David Y M Ng, Senior Planner

Dear Sirs,

Zoning Plan of So Lo Pun Village

We refer to the attached zoning map produced by your department in relation to our village. There are huge errors and misrepresentations incorporated in the map as discussed below.

The zoning as indicated in the map is simply a government red-tape exercise to divide our village land into three categories so as to satisfy the government need to control and grab the land from us under the false pretence of Town Planning and Zoning.

The names you use to describe the types of land are meaningless and their names serve to hide and confuse the true functions of the land. (see (1) below) It is essential that category type of land should reflect the true usage of the land without the need to guess and postulate the true meaning of the description and classification. For clarity we expand in (1) below the true meaning of three categories of land per your map notation and we also insert a fourth category AGRICULTURAL LAND to correctly describe the related farm land.

We would like to point out the following mistakes/inconsistencies for amendment. We look forward to having your comments on the question raised below.

(1). LAND CATEGORY

The division and description of the village land into three categories is misleading and mistaken, as the category names are purely office jargon which hide rather than reveal the true meanings and implications of your plan. Moreover your plan incorporates a serious mistake by zoning the agricultural and farm land as Green Belt, such zoning having no legal basis, arbitrarily determined by your department, undemocratic and destroying our hundreds of years of village life. The plan should therefore incorporate a zone of Agricultural and Farm Land to designate that parcel of land that has been so used for 400 years. We believe our WONG VILLAGE TRADITION describes fully the nature of the land.

<u>Category</u> <u>Per Town Plan. Office</u>	<u>Category</u> <u>Per WONG village tradition</u>
a. Village type development	village ancestral house/building
b. Green belt	village hills/slopes
c. Conservation area	Conservation Land
d. (not stated)	agricultural land

(2). village type development

Your English and Chinese words for this heading are not precise and cause confusion rather than clarification. We assume that they relate to the grounds for the existing buildings, houses, sheds, walls, cowsheds, refuse and farm buildings. We also identify that two lots of buildings are not marked on the map.

(3) Green Belt

While it is technically correct to mark the mountain and hillside as green belt, it should be recognised that for 400 years we have cut grass and chopped down trees as firewood for subsistence and warmth. Surely we

should be allowed to carry on such subsistence practice. It is totally unrealistic to expect us, as residents of such remote village to live without using local carbon produce for cooking and warmth.

We also object your inclusion of certain agricultural land under green belt which is either a result of draught error or a disguised attempt to grab the land from the villagers.

(4) Conservation Area

The naming of the fertile agricultural land as conservation area is totally wrong and groundless. Our reasons are in (5).

(5) Agricultural land

Our land ownership is evidenced by the land registry records. There is no justification to mark the agricultural land as Conservation area. These areas are proper and fertile farm land cultivated for 400 years and feeding the whole village. What right does the government have to dictate to us to give up our ancestral farm lands to return them to wilderness? Our village existed before the Chin Dynasty, before the formation of the Nationalist Government, before the People's Republic of China, before the British Colonial Government and the Present SAR. The village and the land is our heritage and our roots and as strong believers in heritage and tradition we shall do everything within our power to maintain the integrity of our ancestral land.

It is pure stupidity and madness that with the huge Hong Kong population that, instead of encouraging and assisting local food production the government is actively and knowingly killing off any attempt to farm. Your department has acted as the instrument of government policy on the development and sales of land. But we shall not yield to your attempt to grab our land under whatever name and guise.

We absolutely reject your zoning of the Agricultural land as Conservation Area. That land has been and shall remain for agriculture in spite of whatever state it is at present. There is no justification legal, social and economical to change its status from agricultural land.

The agricultural lands are the private properties of the indigenous

inhabitants of So Lo Pun Village. The government should respect our property rights as she respects the rights of property owners in Hong Kong island and beyond. We demand amendments to the plan. We have no hesitation to contest by legal and whatever means within our power to oppose your current zoning plan and we reserve our right to sue for cost and damages.

Yours faithfully,



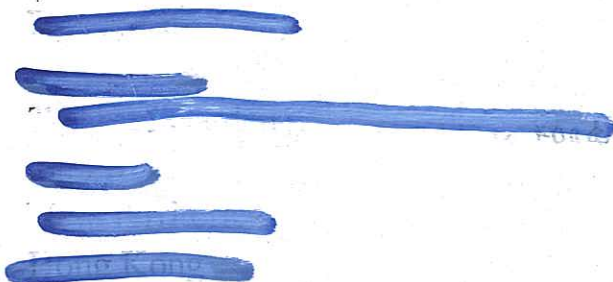
MR. WONG TAU-SUN, MA, CA
and others
Indigenous inhabitants of
SO LO PUN VILLAGE
Sha Tau Kok District
New Territories

8 July, 2013

Correspondence Address

c/o Mr. H C WONG

Secretary



圖一 規劃大綱草圖

圖中所示作鄉村式發展的土地只佔9.10%，而且大部分是原有的舊屋。What remains is only 9.1% (2.52 hectares) of mainly ruin houses for village use. They zoned it as Village zone. In other words, nearly all our farmland is gone.

自然保育區佔8.01公頃土地，95%以上為本村鄉民的私人土地。In the 8.01 hectares of Conservation Area, more than 95% belongs to our private land.

附件一 Appendix I

圖例 NOTATION

ZONES

VILLAGE TYPE DEVELOPMENT

GREEN BELT

CONSERVATION AREA

地帶

鄉村式發展

綠化地帶

自然保育區

MISCELLANEOUS

BOUNDARY OF PLANNING SCHEME

BOUNDARY OF COUNTRY PARK / SPECIAL AREA

其他

規劃範圍界線

郊野公園 / 特別地區界線

土地用途及面積一覽表 SCHEDULE OF USES AND AREAS

USES	大約面積及百分比 APPROXIMATE AREA & %			用途
	公頃 HECTARES	%	百分比	
VILLAGE TYPE DEVELOPMENT	2.52	9.10		鄉村式發展
GREEN BELT	17.15	61.88		綠化地帶
CONSERVATION AREA	8.01	28.94		自然保育區
TOTAL PLANNING SCHEME AREA	27.68	100.00		規劃範圍總面積

此圖係根據香港城市規劃條例擬備的鎖羅盆分區計劃大綱圖
PREPARED BY THE PLANNING DEPARTMENT UNDER
THE DIRECTION OF THE TOWN PLANNING BOARD

圖則編號
PLAN No. S/NE-SLP/D

老虎石頂
LO FU SHEK TENG

香港城市規劃委員會依據城市規劃條例擬備的鎖羅盆分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
SO LO PUN - OUTLINE ZONING PLAN

綠化地帶中也有近35%
為私人土地。
In the 17.15 hectares of
Green Belt, close to 35% is
also our property.

船灣郊野公園
FLOWER COVE COUNTRY PARK

鎖羅盆
So Lo Pun



Chung Ling Wong

<

17/06/2013 下午 09:35

Please respond to
Chung Ling Wong

<



To "dymng@pland.gov.hk" <dymng@pland.gov.hk>

Annex VII - 9

cc "tpbpd@pland.gov.hk" <tpbpd@pland.gov.hk>

"tspd@pland.gov.hk" <tspd@pland.gov.hk>

馮愛卿 <

黃錫齡 <

黃頌齡 <

黃佑民 <

黃慶祥 <

黃冠明 <

黃君行 <

黃獻齡 <

黃湘齡 <

黃澤齡 <

黃駿霖 <

黃然柏 <

黃可宜 <

黃可欣 <

黃瑞明 <

黃遠輝 <

黃小玲 <

黃素珍 <

黃文博 <

黃文培 <

黃智建 <

黃道新 <

黃慶方 <

黃春仁 <

黃俊文 <

黃少松 <

黃瑞彬 <

黃偉忠 <

黃華春 <

黃遠鴻 <

黃春梅 <

黃綺嫻 <

黃建明 <

黃遐齡 <

黃積文 <

黃積維 <

黃怡芬 <

黃繞川 <

黃慶芬 <

黃麗芬 <

黃桂蘭 <

黃月新 <

黃玉生 <

黃柏鐸 <

黃耀泰 <

黃小紅 <

黃聖雄 <

黃穎 <wo

黃健雄 <

黃耀森 <

黃愷衡 <

黃文姬 <

黃碧姬 <

黃文蜚 <

黃建英 <

黃祥 <kr

黃耀斌 <

黃積強 <

黃綺琪 <

黃偉仁 <

黃燕純 <

黃卓偉 <

黃文偉 <

黃文星 <

黃美玲 <

黃穎禧 <

黃穎鈞 <



Wong Chung-hing <

黃亮英 <

Wong Wai Chung <

黃綺雯Kaffi <

黃文芳 <

黃國新 <

黃雅琳 <

Subject Solopun Outline Zoning Plan S/NE - SLP/D

Mr. David Y.M. Ng (Sr. Town Planner)
Sha Tin, Tai Po & North District Planning Office,
Planning Dept., HKSAR

敬啟者：

本人黃頌齡，HKID No. : (), 是新界沙頭角鎖羅盆村土生土長原居民。

驚聞近日香港政府以野蠻手段，不符合法律的情況下，將本村村民私人持有的田地納入為「自然保育」及「綠化地帶」，本人特此修函，表達我絕對反對港府的措施。

政府將非市民擁有的田／土地用作開發；或劃入「綠化區」；又或納入「自然保育區」，是無可口非，但本村私人田地屬村民持有由來已久，且有田地契約作證明，任何人不得非法佔據，除非經過田地買賣或以地換地方法作持有。一個以文明法治理港名聞於世的香港政府，以近乎強盜的擄掠行為，去達到本身或環保團體的意欲。閣下將心比己，身份對換去試試想是否合法合理呢？

自由、法治是香港固有的核心價值，無論是個人或統治政權也應誓死捍衛，社會才會呈現和諧與昇平。諸君，你們現在正要侵吞的，是我們先祖遺留給子孫的私人田地，你們稍有良知的，還會作進一步行動嗎？

我嚴肅要求 貴處立即撤回方案，不要再以保育、綠化為名，強搶私人田地為實，還予我本村一個公道。

日前本村（鎖羅盆村委員會）為此召開緊急會議，全體出席者一致反對 貴處于本年九月三十日為期限之方案。懇請 貴處放棄此措舉，本村上下將感激不盡。

祝

安康！

黃頌齡

2013年6月17日

通訊地址：

聯絡電話：

電郵：

通訊地址：

1958 電郵：

(Translation)

Mr. David Y.M. Ng (Sr. Town Planner)
Sha Tin, Tai Po & North District Planning Office,
Planning Dept., HKSAR

Dear Sirs:

I, WONG Chung-ling, HKID No.: _____, am an indigenous inhabitant born and grew up in So Lo Pun Village, Sha Tau Kok.

Recently, I am surprised by the brutal means of the Hong Kong Government to incorporate private lands held by villagers of our Village into the "Conservation Area" and "Green Belt". This is against the law. I am writing this letter to express my absolute objection to this Government measure.

One would not object if the government develops fields or lands not owned by the public, or rezone them as "Green Belt" or "Conservation Area". However, the private lands in this Village have long been owned by the villagers with land lease as documentary proof. No one shall occupy them illegally, except through buying and selling or land exchange. The Hong Kong Government is renowned for its civilized governance and rule of law. Now it resorts to something like bandits' looting behavior to achieve its own desires or those of environmental groups. Put you in our shoes and swap your role with us, do you consider this legitimate and reasonable?

Freedom and rule of law are inherent core values of Hong Kong, both individuals and the ruling regime should defend them to the last breath to achieve social harmony and peace and prosperity. Mesdames and Messieurs, what you are going to devour is the legacy (private lands) that our ancestors have left to us, the descendants. If you are still a man of conscience, will you take further action?

I solemnly request you to withdraw the plan immediately. Stop using the subject of conservation and greening to rob our private lands. Do justice to my village!

Recently, So Lo Pun Village Committee from our Village has convened an emergency meeting for that purpose. All the attendees have unanimously opposed to the plan set on us with a deadline of 30th September 2013. We urge you to give up this proposal. Your attention would be much appreciated!

Best wishes!

Wong Chung-ling
17th June, 2013

Correspondence address: _____

Contact no.: _____

E-mail: _____

Job no. 457(4)-2013

tpbpd@pland.gov.hk

寄件者: "Sochun Wong" <
收件者: <dymng@pland.gov.hk>
副本: <tpbpd@pland.gov.hk>; <tspd@pland.gov.hk>
傳送日期: 06/06/2013 上午 10:32
主旨: So Lo Pun Outline Zoning Plan S/NE-SLP/D

Dear Mr. David Ng,
Senior Town Planner of Sha tin, Tai Po & North Planning Office

It was a pleasure meeting you and your colleague in the consultation meeting on 14 May 2013 in Sha Tau Kok regarding the draft OZP of So Lo Pun and we, legal So Lo Pun village indigenous people, were given opportunities to ask questions and present our concerns. I hope this was not a cosmetic administrative gesture of conducting a consultation exercise but a genuine dialogue for a sincere exchange of ideas.

I object to the draft OZP because of the following reasons:

[if !supportLists]-->1. <!--[endif]-->**Hong Kong Our Home; So Lo Pun Our Home Village!**

So Lo Pun is more than an area with "high qualify landscape and great variety of natural habitats", but also home to many indigenous villagers who were born there but forced to leave because of the inaccessible location. Despite the fact that the village is "currently largely uninhabited", many of us including some coming back from overseas still go back to pay respect to our forefathers once or twice a year. This is a valuable Chinese tradition that we all share, don't we, Mr. Ng?

So Lo Pun also records the history of our last eight generations who spent their whole lives there. It is of great sentimental value to us. What's more, we are legal citizens lawfully owning not only the 2.52 hectares of house area, but also more than 17.15 hectares of farmland there. Although we're currently not residing or farming there, we have never declared giving up our land. To the contrary, a growing number of us are planning to make So Lo Pun habitable again so that we can revive it now that more and more of us are capable of doing so.

By all means, we will defend our own homeland!

[if !supportLists]-->2. <!--[endif]-->**Our rights and interests should be protected by law.** Hong Kong is a lawful society. According to Article 105 of the Hong Kong Basic Law, "The Hong Kong Special Administrative Region shall, in accordance with law, protect the right of individuals and legal persons to the acquisition, use, disposal and inheritance of property and their right to compensation for lawful deprivation of their property." Also stated in Article 40, "The lawful traditional rights and interests of the indigenous inhabitants of the 'New Territories' shall be protected by the Hong Kong Special Administrative Region."

So it's incomprehensible to us that on the one hand the laws clearly state that our indigenous inhabitants' rights and interests are to be protected. On the other hand, the Town Planning Board supported by the Planning Department would produce this draft OZP intending to take away our private land in the name of protecting the environment. Based on which law or ordinance that the Board and the Department are authorized to lawfully confiscate our property? What criminal offense have we committed so that our rights of possessing and using the land are deprived?

b頁 2 - 2(B)

Before the release of this unsatisfactory draft OZP, we were hopeful that our recommendations which had been presented among the 14 representations and 5 comments, and during the meeting on 8 April 2011 would be sincerely considered by the Board and incorporated in the OZP. Disappointedly, "the Board decided not to uphold the representations" at all (Agenda Item 9 Number 78 (a) on page 74 of Minutes of 1032nd Meeting of the Town Planning Board held on 26.4.2013). As a result, our voices have fallen on deaf ears!

This OZP, like the many unequal treaties that China was forced to sign in the time of wars, is totally biased against us. Your Department as well as the Board only listen to the voices of the people who have no personal attachment, family ties or ownership of this village. They merely look at the present ecological value of the area without considering the historical and cultural values of this village, as well as the family root value to us!

Looking back, we feel deeply offended because our private property was intruded by some unauthorized parties! These parties such as the Agriculture, Fisheries and Conservation Department, Kadoorie Farm and Botanic Garden Corporation, World Wide Fund Hong Kong, the Conservancy Association, and Designing Hong Kong Limited first came with an intention to assess the eco-value of So Lo Pun, then intend to assist in taking away our land without our consent.

Do you feel that the act is similar to the colonization movement of the West starting from the 15th century? Or you may be more familiar with this easy-to-understand example Avatar. Just because the homeland of the natives happens to possess some invaluable treasure wanted by the intruders that their aggressive invasion can be justified? NO WAY!

Don't take me wrong that we do not value the precious wild life and plants in our village at all. It is exactly because of the preservation done by our ancestors before that the village has become what it is today. Perhaps we can explore the possibilities of collaborating with interested parties in preserving the land instead of simply zoning it as Conservation Area or Green Belt.

My recommendations

[if !supportLists]-->1. <!--[endif]-->All private land labeled with lot numbers should be zoned as Village Zone, Agricultural Use, or Recreational Use but not Conservation Area or Green Belt so that we can have the right to use the land.

[if !supportLists]-->2. <!--[endif]-->Should the precious ecological features be protected, we can work together on an equal ground to explore ways to achieve the goal.

I look forward to your reply.

Sincerely,

Wong So Chun (Ms)

So Lo Pun indigenous person

Holder of a valid Closed Area Permit to Sha Tau Kok

06/06/2013

TOTAL P.02

Subject Fwd: 智者不為

-----轉寄的簡訊-----

寄件者："曾玉安" <[REDACTED]>
 日期：2013/7/4 上午8:25
 主旨：Fwd: 智者不為
 收件者：<enquiry@enb.gov.hk>

-----轉寄的簡訊-----

寄件者："曾玉安" <[REDACTED]>
 日期：2013/6/24 上午10:39
 主旨：智者不為
 收件者："[REDACTED]" <[REDACTED]>

林生，

附圖乃新界偏遠鄉村村民聲音，殖民政府祇劃鄉村外圍作郊野公園，而今卻胡亂將私人土地劃作保育，在未有一套公平合理政策前，實在不宜！



曾玉安 [REDACTED] 20130609_103823.jpg

----- 訊息來自 enquiry@enb.gov.hk (位於 Thu, 4 Jul 2013 10:48:42 +0800) -----

□ □ □ : enquire@pland.gov.hk <enquire@pland.gov.hk>

□ □ : Fw: □ □ □ □

Dear Sir/Madam,

Preceding email refers. As it is likely that the enquiry is related to your department, it is forwarded to you for action deemed appropriate. Thank you for your attention!

Best Regards,
 Environment Bureau

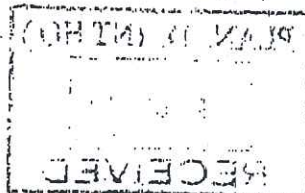
----- Forwarded by: ENB_Enquiry/ENB/HKSARG on 04/07/2013 10:47 AM -----

曾玉安 <[REDACTED]>

04/07/2013 08:25 AM

To enquiry@enb.gov.hk
 cc

Subject Fwd: 智者不為



-----轉寄的簡訊-----

寄件者："曾玉安" <[REDACTED]>

日期：2013/6/24 上午10:39

主旨：智者不為

收件者："[REDACTED]" <[REDACTED]>

林生，

附圖乃新界偏遠鄉村村民聲音，殖民政府祇劃鄉村外圍作郊野公園，而今卻胡亂將私人土地劃作保育，在未有一套公平合理政策前，實在不宜！



- A

曾玉安 [REDACTED] 20130609_103823.jpg



有關鎖羅盆分區計劃大綱草圖編號 S/NE-SLP/D 之意見

致吳育民先生（政府規劃處-沙田, 大埔及北區規劃處 高級城市規劃師）

從沙頭角鄉事委員會中得知本村(鎖羅盆村)被無理的規劃。把我村大部份私人地方規劃為綠化地帶及自然保育區，變相充公了我們的私人土地，限制我村的發展空間。

想我祖先以農立村已有三百多年，養活了我們十多代人，但今次城規會對本村的規劃，竟然連一吋土地都沒有規劃為農業用地，完全否定了本村的農業價值，絕對不能接受。如果我們不站出來反對，真是愧對祖先。

所以請規劃本村時多些考慮村民的感受，以人性的角度出發，不單只顧及生態的價值。

1. 應尊重私人財產。因這種保育式的規劃，等於充公了我們的土地，讓它們回覆自然，違反基本法及五十年不變的承諾。
2. 我們要求擴闊鄉村式發展用地。因現時規劃的地方不是原有的舊屋，就是梯田，可以用來建屋的地方非常之少。
3. 我們不反對設立綠化地帶及自然保育區，但不應在我們的私人土地上設立。私人財產是不能夠公用，除非政府出錢購買或以地換地。否則請在公用地設立綠化地帶及自然保育區。政府怎能強迫我們犧牲自己的財產去滿足你們的保育要求呢？完全違反公平公義原則。
4. 如果要把那條河流規劃為綠色地帶或自然保育區的話，請先把河流疏導及清理，因那河流的河牀已很淺及淤塞，那有空間給你們認為珍貴的魚類生存呢，而且還容易氾濫影響我們的私人土地，變成澤國。

其他意見：將私人土地（人民的私有財產）據為己有，不作賠償及供之給世，能認同者包括吳育民先生，你本人贊成嗎？若你產業被私了，君意如何？想你必告上法庭，誓死取回！強烈反對政府私了我村私人土地財產

鎖羅盆村原居民姓名：

黃潤雄

簽名：

[Signature]

日期：

2013年6月22日

居住地址：

[Redacted Address]

(Translation)
Comments on Draft So Lo Pun Outline Zoning Plan No. S/NE-SLP/D

To: Mr. NG Yuk-man, Senior Town Planner
Sha Tin, Tai Po and North District Planning Office


We learnt from the Sha Tau Kok Rural Committee that unreasonable planning is imposed on our village (So Lo Pun Village). The vast majority of the private lands in our village would be rezoned as Green Belt and Conservation Area. This is no different from confiscating our private lands and limiting development opportunities in our village.

For the past 300 years, farming has been the main activity of our ancestors in this village to fend for their offsprings for more than 10 generations. However, in the latest planning on our village, the Town Planning Board has not even saved a single inch of land for agricultural use. The agricultural value of our village is totally denied. This is definitely unacceptable. If we don't stand out to protest, we are shamefully failing our ancestors.

Therefore, when rezoning our village, please consider the villagers' feelings from a humane perspective rather than just thinking of ecological value.

1. Private property should be respected. This mode of conservation is equal to confiscating our lands and returning them back to nature. This is against the promise made in the Basic Law that the previous capitalist system and way of life shall remain unchanged for 50 years.
2. We request to extend the V-Zone because the existing planned zone is already occupied by either houses built long ago or terraced fields. The land remained for housing construction is pretty scarce.
3. We have no objection to the zoning of Green Belt and Conservation Area, yet they should not be zoned on our private lands. The Government cannot take private properties for public use, unless they buy them or process through land exchange. Otherwise, please zone the Green Belt and Conservation Area on public land. How can the Government force us to sacrifice our properties to satisfy your quest for conservation? This runs totally against the principle of equality.
4. Should the river need to be zoned within the Green Belt and Conservation Area, dredging and clearing up works must be done first. The river bed is very shallow and got clogged up. How can the fish considered precious by you thrive there? Besides, the river is prone to flooding which could cause inundation, affecting our private lands.

Other comments: If we make known this act of taking forcible possession of private lands (people's private properties) without making compensation, who would agree to it? Even you Mr. NG Yuk-man, would you give your consent? If I privatize your property, how would you feel? I guess you would bring the case to court to fight it back! I strongly object to the Government's move to privatize the private lands/properties of our village.

Name of indigenous inhabitant of So Lo Pun Village	WONG Chung-ling	Signed:	(illegible)
		Dated:	22.6.2013
Residential Address:			

Comments on Draft So Lo Pun Outline Zoning Plan No. S/NE-SLP/D

To: Mr. NG Yuk-man, Senior Town Planner
Sha Tin, Tai Po and North District Planning Office


We learnt from the Sha Tau Kok Rural Committee that unreasonable planning is imposed on our village (So Lo Pun Village). The vast majority of the private lands in our village would be rezoned as Green Belt and Conservation Area. This is no different from confiscating our private lands and limiting development opportunities in our village.

For the past 300 years, farming has been the main activity of our ancestors in this village to fend for their offsprings for more than 10 generations. However, in the latest planning on our village, the Town Planning Board has not even saved a single inch of land for agricultural use. The agricultural value of our village is totally denied. This is definitely unacceptable. If we don't stand out to protest, we are shamefully failing our ancestors.

Therefore, when rezoning our village, please consider the villagers' feelings from a humane perspective rather than just thinking of ecological value.

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4. Should the river need to be zoned within the Green Belt and Conservation Area, dredging and clearing up works must be done first. The river bed is very shallow and got clogged up. How can the fish considered precious by you thrive there? Besides, the river is prone to flooding which could cause inundation, affecting our private lands.

Other comments: Our ancestors' legacy must be protected. No one can take or destroy it.
The descendants should assume their responsibility of safeguarding it.

Name of indigenous inhabitant of So Lo Pun Village :	WONG Koon-ying, and sons WONG Man-kau, <u>WONG Man-lung</u>	Signed: <u>(WONG Koon-ying)</u>
		Dated: <u>1.7.2013</u>
Residential Address:	<u></u>	

有關鎖羅盆分區計劃大綱草圖編號 S/NE-SLP/D 之意見

致吳育民先生 (政府規劃處-沙田, 大埔及北區規劃處 高級城市規劃師)

從沙頭角鄉事委員會中得知本村(鎖羅盆村)被無理的規劃。把我村大部份私人地方規劃為綠化地帶及自然保育區，變相充公了我們的私人土地，限制我村的發展空間。

想我祖先以農立村已有三佰多年，養活了我們十多代人，但今次城規會對本村的規劃，竟然連一吋土地都沒有規劃為農業用地，完全否定了本村的農業價值，絕對不能接受。如果我們不站出來反對，真是愧對祖先。

所以請規劃本村時多些考慮村民的感受，以人性的角度出發，不單只顧及生態的價值。

1. 應尊重私人財產。因這種保育式的規劃，等於充公了我們的土地，讓它們回覆自然，違反基本法及五十年不變的承諾。
2. 我們要求擴闊鄉村式發展用地。因現時規劃的地方不是原有的舊屋，就是梯田，可以用來建屋的地方非常之少。
3. 我們不反對設立綠化地帶及自然保育區，但不應在我們的私人土地上設立。私人財產是不能夠公用，除非政府出錢購買或以地換地。否則請在公用地設立綠化地帶及自然保育區。政府怎能強迫我們犧牲自己的財產去滿足你們的保育要求呢？完全違反公平公義原則。
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其他意見：這樣的規劃令我村沒有生存空間。
規劃者的心態很“毒”。

規劃者的心態很“毒”。

鎖羅盆村原居民姓名：黃瑞明

簽名: 黃瑞明

日期: 2013年6月20日

居住地址:

Comments on Draft So Lo Pun Outline Zoning Plan No. S/NE-SLP/D

To: Mr. NG Yuk-man, Senior Town Planner
Sha Tin, Tai Po and North District Planning Office

We learnt from the Sha Tau Kok Rural Committee that unreasonable planning is imposed on our village (So Lo Pun Village). The vast majority of the private lands in our village would be rezoned as Green Belt and Conservation Area. This is no different from confiscating our private lands and limiting development opportunities in our village.

For the past 300 years, farming has been the main activity of our ancestors in this village to fend for their offsprings for more than 10 generations. However, in the latest planning on our village, the Town Planning Board has not even saved a single inch of land for agricultural use. The agricultural value of our village is totally denied. This is definitely unacceptable. If we don't stand out to protest, we are shamefully failing our ancestors.

Therefore, when rezoning our village, please consider the villagers' feelings from a humane perspective rather than just thinking of ecological value.

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4. Should the river need to be zoned within the Green Belt and Conservation Area, dredging and clearing up works must be done first. The river bed is very shallow and got clogged up. How can the fish considered precious by you thrive there? Besides, the river is prone to flooding which could cause inundation, affecting our private lands.

Other comments: Such planning has eliminated our village's room for survival. The planners have a very "vicious" mindset.

Name of indigenous inhabitant
of So Lo Pun Village :

WONG Shui-ming

Signed: (WONG Shui-ming)

Dated: 20.6.2013

Residential Address:

有關鎖羅盆分區計劃大綱草圖編號 S/NE-SLP/D 之意見

致吳育民先生（政府規劃處-沙田, 大埔及北區規劃處 高級城市規劃師）

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其他意見：依規劃圖看全部都是鎖羅盆村人田地，未見在政府田或鄉路合
劃入作 即 或 或 同 答 可 能 明 政 府 是 計 劃 將 村 之 計 劃 在 這 農
山 中 建 立 區 設 法 及 公 公 眾 信 任 有 規 劃 城 市 今 人 考 解 而 明 松 民 地

鎖羅盆村原居民姓名：

黃富

簽名：

黃富

子 建 英 創 美 經 文 斌

日期：

30/6/2013

居住地址：

(Translation)

Comments on Draft So Lo Pun Outline Zoning Plan No. S/NE-SLP/D

To: Mr. NG Yuk-man, Senior Town Planner
Sha Tin, Tai Po and North District Planning Office

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up. How can the fish considered precious by you thrive there? Besides, the river is prone to flooding which could cause inundation, affecting our private lands.

Other comments: From the proposed plan, we can see that all lands covered under the scheduled area are private lands. No Government site or country park area is incorporated into the CA or GB. It shows that the Government is launching a plan to rob our village. It is perplexing why no transportation network and public facilities are planned for this remote area but proposal is made to rob our land.

Name of indigenous inhabitant of So Lo Pun Village : WONG Fu, and sons Kin-ying,
Chong-ying, grandson Man-foon Signed: (illegible)
Dated: 30.6.2013

Residential Address: _____

Comments on Draft So Lo Pun Outline Zoning Plan No. S/NE-SLP/D

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Sha Tin, Tai Po and North District Planning Office

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Other comments: Objection against unreasonable occupation of private lands.

Name of indigenous inhabitant
of So Lo Pun Village :

WONG Wai-fong

Signed: (illegible)

Dated: 29.6.2013

Residential Address:

有關鎖羅盆分區計劃大綱草圖編號 S/NE-SLP/D 之意見

致吳育民先生（政府規劃處-沙田, 大埔及北區規劃處 高級城市規劃師）

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1. 應尊重私人財產。因這種保育式的規劃，等於充公了我們的土地，讓它們回覆自然，違反基本法及五十年不變的承諾。
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其他意見：希望你能行公義

鎖羅盆村原居民姓名：

黃冠明

簽名：

[Signature]

日期：

6-7-13

居住地址：

有關鎖羅盆分區計劃大綱草圖編號 S/NE-SLP/D 之意見

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其他意見：香港現代化良久，連國內山區都有路直達，為何我們這區連最基本的道路也沒有！

鎖羅盆村原居民姓名：黃桂華 簽名：b. w. L p.
Mr. K. W. Wong 日期：5-7-13
 居住地址：~~沙田~~ [redacted]

居住地址: [REDACTED]

Mr. David Y. M. Ng
 Senior Town Planner
 Sha Tin, Tai Po & North District Planning Office
 Planning Department, HKSAR
 Room 2708, 27th Floor
 Tsuen Wan Government Offices
 38 Sai Lau Kok Road,
 Tsuen Wan, N.T. Hong Kong

Subject: Outline Zoning Plan of So Lo Pun Village S/NE-SLP/D

Dear Mr. Ng,

In response to your letter sent to the Sha Tau Kok District Rural Committee of May 2013 regarding the unreasonable planning of our So Lo Pun village, I find this plan totally unacceptable and now writing to protest against this ridiculous Outline Zoning Plan!

In the OZP, the majority of our private land (> 90%) is marked as Green Belt or Conservation Area. This act is equivalent to confiscating our land and strangling our already weakening village to death!

Farming and fishing which were the basic activities that our ancestors relied heavily on over the past 300 years in making their living are totally disregarded in this OZP! Not a single inch of land is planned for any agricultural use at all. How can you possibly expect us to accept this plan? How can we face our forefathers every year when we go back to So Lo Pun to pay our respect to them at their tombs! They will just turn over in their graves accusing us of betraying our land! What a big shame we'll have in failing to safeguard the land inherited from our fathers!

When re-formulating your OZP, please seriously consider our villagers' views in addition to the environment protectionists' opinions.

1. **Respect the lawful rights of us indigenous villagers.** According to Hong Kong Basic Laws and the promise of 50 years unchanged, this OZP is unlawful because it intends to rob our private land in the name of protecting the environment.
2. **Enlarge the area of Village Zone.** The initial VZ only includes the sites of ruin houses and terrace fields. The latter is not suitable for building houses. Therefore there is not enough land to build new ones. (More new houses are needed because there are many more So Lo Pun "sons" spreading around the world than the time when our parents last lived there.)
3. **Support the idea of formulating Green Belt and Conservation Area OUTSIDE private land.** Don't misunderstand that we are against the idea of environment protection. To the contrary, it has always been the affection of our villagers towards nature and the efforts in preserving them that have made So Lo Pun become what it is today.
4. **Compensate our loss if your Department plans to deprive us of our lawful right of using the land.** If the Government places a high eco-value on our farmland so much that you are determined to preserve them by all means, you should at least consult us and propose to collaborate with us on an equal ground in achieving such a goal. Agreed by most land owners, we may even explore the possibility of exchanging land with land or compensating monetarily upon mutual agreement.

5. **Clean up the river.** Over the years, the river has become so clogged with massive soil and residues that not only the identified precious fish cannot survive, but also the nearby land can be easily flooded.

6. Other opinions: We were forced out of the village in the 1960s because there was no school, no roads and limited boat trips between the village and Sha Tau Kok.

Shui Wai Wong

(Signature)

29 / 6 / 2013

(date)

SHUI WAI WONG

Name of So Lo Pun indigenous villager

Residence Address: _____

有關鎖羅盆分區計劃大綱草圖編號 S/NE-SLP/D 之意見

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1. 應尊重私人財產。因這種保育式的規劃，等於充公了我們的土地，讓它們回覆自然，違反基本法及五十年不變的承諾。
2. 我們要求擴闊鄉村式發展用地。因現時規劃的地方不是原有的舊屋，就是梯田，可以用來建屋的地方非常之少。
3. 我們不反對設立綠化地帶及自然保育區，但不應在我們的私人土地上設立。私人財產是不能夠公用，除非政府出錢購買或以地換地。否則請在公用地設立綠化地帶及自然保育區。政府怎能強迫我們犧牲自己的財產去滿足你們的保育要求呢？完全違反公平公義原則。
4. 如果要把那條河流規劃為綠色地帶或自然保育區的話，請先把河流疏導及清理，因那河流的河牀已很淺及淤塞，那有空間給你們認為珍貴的魚類生存呢，而且還容易氾濫影響我們的私人土地，變成澤國。

其他意見：

鎖羅盆村原居民姓名：

黃偉仁

簽名：

黃偉仁

日期：

21-6-2013

居住地址：

Comments on Draft So Lo Pun Outline Zoning Plan No. S/NE-SLP/D

To: Mr. NG Yuk-man, Senior Town Planner
Sha Tin, Tai Po and North District Planning Office

We learnt from the Sha Tau Kok Rural Committee that unreasonable planning is imposed on our village (So Lo Pun Village). The vast majority of the private lands in our village would be rezoned as Green Belt and Conservation Area. This is no different from confiscating our private lands and limiting development opportunities in our village.

For the past 300 years, farming has been the main activity of our ancestors in this village to fend for their offsprings for more than 10 generations. However, in the latest planning on our village, the Town Planning Board has not even saved a single inch of land for agricultural use. The agricultural value of our village is totally denied. This is definitely unacceptable. If we don't stand out to protest, we are shamefully failing our ancestors.

Therefore, when rezoning our village, please consider the villagers' feelings from a humane perspective rather than just thinking of ecological value.

1. Private property should be respected. This mode of conservation is equal to confiscating our lands and returning them back to nature. This is against the promise made in the Basic Law that the previous capitalist system and way of life shall remain unchanged for 50 years.
2. We request to extend the V-Zone because the existing planned zone is already occupied by either houses built long ago or terraced fields. The land remained for housing construction is pretty scarce.
3. We have no objection to the zoning of Green Belt and Conservation Area, yet they should not be zoned on our private lands. The Government cannot take private properties for public use, unless they buy them or process through land exchange. Otherwise, please zone the Green Belt and Conservation Area on public land. How can the Government force us to sacrifice our properties to satisfy your quest for conservation? This runs totally against the principle of equality.
4. Should the river need to be zoned within the Green Belt and Conservation Area, dredging and clearing up works must be done first. The river bed is very shallow and got clogged up. How can the fish considered precious by you thrive there? Besides, the river is prone to flooding which could cause inundation, affecting our private lands.

Other comments: _____

Name of indigenous inhabitant of So Lo Pun Village	WONG Wai-yan	Signed:	(illegible)
		Dated:	21.6.2013
Residential Address:			

Mr. David Y. M. Ng
Senior Town Planner
Sha Tin, Tai Po & North District Planning Office
Planning Department, HKSAR
Room 2708, 27th Floor
Tsuen Wan Government Offices
38 Sai Lau Kok Road,
Tsuen Wan, N.T. Hong Kong

Subject: Outline Zoning Plan of So Lo Pun Village S/NE-SLP/D

Dear Mr. Ng,

In response to your letter sent to the Sha Tau Kok District Rural Committee of May 2013 regarding the unreasonable planning of our So Lo Pun village, I find this plan totally unacceptable and now writing to protest against this ridiculous Outline Zoning Plan!

In the OZP, the majority of our private land (> 90%) is marked as Green Belt or Conservation Area. This act is equivalent to confiscating our land and strangling our already weakening village to death!

Farming and fishing which were the basic activities that our ancestors relied heavily on over the past 300 years in making their living are totally disregarded in this OZP! Not a single inch of land is planned for any agricultural use at all. How can you possibly expect us to accept this plan? How can we face our forefathers every year when we go back to So Lo Pun to pay our respect to them at their tombs! They will just turn over in their graves accusing us of betraying our land! What a big shame we'll have in failing to safeguard the land inherited from our fathers!

~~When re-formulating your OZP, please seriously consider our villagers' views in addition to the environment protectionists' opinions.~~

1. **Respect the lawful rights of us indigenous villagers.** According to Hong Kong Basic Laws and the promise of 50 years unchanged, this OZP is unlawful because it intends to rob our private land in the name of protecting the environment.
2. **Enlarge the area of Village Zone.** The initial VZ only includes the sites of ruin houses and terrace fields. The latter is not suitable for building houses. Therefore there is not enough land to build new ones. (More new houses are needed because there are many more So Lo Pun "sons" spreading around the world than the time when our parents last lived there.)
3. **Support the idea of formulating Green Belt and Conservation Area OUTSIDE private land.** Don't misunderstand that we are against the idea of environment protection. To the contrary, it has always been the affection of our villagers towards nature and the efforts in preserving them that have made So Lo Pun become what it is today.
4. **Compensate our loss if your Department plans to deprive us of our lawful right of using the land.** If the Government places a high eco-value on our farmland so much that you are determined to preserve them by all means, you should at least consult us and propose to collaborate with us on an equal ground in achieving such a goal. Agreed by most land owners, we may even explore the possibility of exchanging land with land or compensating monetarily upon mutual agreement.

5. Clean up the river. Over the years, the river has become so clogged with massive soil and residues that not only the identified precious fish cannot survive, but also the nearby land can be easily flooded.

6. Other opinions: _____

Ian Wong
(Signature)

3/07/13
(date)

Ian Wong 黃卓偉

Name of So Lo Pun indigenous villager

Residence Address: _____

創建 Designing Hong Kong 香港 .com

23 May 2013

Chairman and Members
 Town Planning Board
 15/F, North Point Government Offices
 333 Java Road, North Point, Hong Kong
 Fax: 2877 0245
 Email: tpbpd@pland.gov.hk

Ms. Woo Kit Ching, Jacinta
 District Planning Officer
 New Territories District Planning Division
 Sha Tin, Tai Po and North District Planning Office
 Planning Department
 13th floor, Sha Tin Government Offices
 1 Sheung Wo Che Road, Sha Tin
 Email: jkcwoo@pland.gov.hk

Mr. Ng Yuk Man, David
 Senior Town Planner
 New Territories District Planning Division
 Sai Kung & Islands District Planning Office
 Planning Department
 15th floor, Sha Tin Government Offices
 1 Sheung Wo Che Road, Sha Tin
 Email: dymng@pland.gov.hk

Dear Sirs,

Re: Draft So Lo Pun Outline Zoning Plan (No. S/NE-SLP/D)

We object to Village Type Development zones in the Outline Zoning Plans for Enclaves.

The objective of the Enclave Policy was to protect and safeguard enclaves with regard of their surrounding country park, and their ecological and landscape values.

Rather than protection, the zoning of the enclaves is rapidly turning into the creation of development opportunities for land owners, villagers and developers.

We urge the Board and the Planning Department to consider the following:

1. Lack of planning and environmental controls under the prevailing Small House Policy will be harmful to the environment of each enclave as well as the land and waters well beyond the boundaries of the Village Type Development Zones.
2. There has been no assessment of the cumulative impacts of the developments potentially permitted, including the requirement for new transport services, road infrastructure, utilities, street lighting and other urbanization of the environment of the Plover Cover Country Park.

We urge the Board and the Planning Department to consider some of the reality of VTD in Hong Kong:

Unit 7, 5/F, Eastern Harbour Centre, 28 Hoi Chak Street, Quarry Bay,
 Tel: +852 3104 3107 Fax: +852 2187 2305

創建 Designing Hong Kong 香港 .com

1. Village house developments lack drainage controls, sewerage controls, building codes, access and parking.
2. Drains, and the expedient connections from baths, as well as common unlawful expedient connections from kitchen and toilets pollute the storm drains. Expedient connections from showers, baths, etc contaminate storm drains and nearby waters.
3. Soak away pits will contaminate underground and surrounding waters.
4. Main drains are laid at random and extend well beyond the VTD zones.
5. The location of each house is subject to application and individual ownership of previous paddy fields rather than based on appropriate layout. This leads to chaotic developments as can be seen in all village environs.
6. Construction methods for excavation, land filling, platform construction, and the village houses lack quality controls. The land formation, excavation, platform heights, slope stabilizations, are random and of poor quality.
7. EVAs will be required through the country park to service the new communities. Failure to plan for adequate transport facilities to support the developments will lead to unlawful occupation and destruction of land. Especially given the remote locations, private car ownership will be prevalent.
8. Number of houses permitted would be dramatic and require road widening. If proper public sewerage would be considered to reduce environmental degradation, significant construction through country parks would be required.

The proposed VTD zone in So Lo Pun would permit a large number of additional houses, but the plans fail to identify the supporting facilities would require. We should identify the carrying capacity of each country park (including available transport and traffic capacity) and the cumulative impact of all permitted developments which will depend on such capacity, and any additional infrastructure that may be needed to accommodate the demand once the permitted developments have all been built and occupied.

To accommodate the existing or future village development in the VTD zone, sustainable infrastructure layout plan and guidelines should be included, including appropriate distances between and alignments of properties, quality drainage and waterworks, appropriate street lighting, quality refuse and garbage facilities, high quality sewerage, public road access or car parking space if necessary. Otherwise, irrational small house applications and infrastructure will lead to a deterioration of the precious ecological and living environment in the areas, and create health and social problems and future costs to society.

In short, we call for:

1. A much reduced developable area;
2. A detailed assessment and corresponding plans for the development of the enclaves, supporting infrastructure and facilities and their impacts on the country park as a whole;
3. In principle, we object to VTD – zones given the lack of controls and the detrimental impact of the prevailing administration of the Village House Policy. If any development is allowed, we would call for a Comprehensive Development Area zoning, so that development if any is controlled by a planning brief allowing for adequate oversight.

Herewith we so submit for your consideration.

Debby Chan

Designing Hong Kong



<cmchan@wwf.org.hk>

04/06/2013 下午 06:06

To <akfmak@pland.gov.hk>
<lymchau@pland.gov.hk>
<tpbpd@pland.gov.hk>

cc "Alan Leung" <ALeung@wwf.org.hk>
"Tobi Lau" <tlau@wwf.org.hk>

Subject Comments on Draft So Lo Pun OZP (No. S/NE-SLP/D)

Annex VIII- 2

Dear Sir/Madam,

Please find attached our comments on the captioned.

Thank you for your attention.

Yours faithfully,

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 So Lo Pun draft OZP_24 May 2013_WWF.pdf



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WWF Hong Kong

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wwf@wwf.org.hk
wwf.org.hk

4 June 2013

Comments on Draft So Lo Pun OZP

1. Strongly support planning intention to protect So Lo Pun's high ecological value
 - So Lo Pun has wide range of habitats which supports high variety of species, e.g. Leopard cat, Red Muntjac.
 - Some species are of high conservation interests, e.g. lowland habitats support Crab-eating mongroose and Yellow-bellied weasel.¹
 - Water fern and seagrass, which have high ecological concerns, can be found in the wetlands
2. Upper stream course and 30m buffer for stream riparian zone as "CA"
 - Refer previous submission to TPB (30 Nov 2010)
 - Upper stream connects to EIS downstream and forms an integral part of the stream eco-system.
 - According to AFCD data, streams in So Lo Pun are potential habitats of uncommon freshwater fish Two-spot Goby²
 - Prohibiting any new development by zoning "CA" along the upper stream to avoid any pollution and development degrading water quality of the EIS
3. Fallow Wet Agricultural Lands upstream as "CA"
 - The fallow wet agricultural lands upstream should be zoned as "CA" instead of "GB"
 - According to Planning Report on So Lo Pun on Apr 2013, protected / rare species like *Ceratopteris thalictroides* and rice fish were previously recorded in the marshes inside the fallow wet agricultural lands
 - Rice fish is a rare species which is in declining numbers in HK due to degradation of wet farmland → fallow wet agricultural lands should be in high ecological value and protected.
 - "CA" should be zoned to prevent any development on these fallow wet agricultural lands.
4. Fung Shui / Secondary Forest behind village clusters should be zoned as "CA"
 - These Fung Shui forests / secondary woodlands are habitats of different wildlife species and should be preserved.
 - Protected plant species, *Cibotium barometz* and *Aquilaria sinensis*, were recorded in these forests
 - According to AFCD data, So Lo Pun is the only place in Hong Kong that has the record of Greater Bamboo Bat.³
 - Since Fung Shui / Secondary forest are potential habitats of these species, it is necessary to zone these habitats into "CA" to strengthen protection.

¹ Shek, C. T. (2006). *A Field Guide to the Terrestrial Mammals in Hong Kong*. AFCD, Hong Kong

² Lee, L. F., et al (2004). *Field Guide to the Freshwater Fish of Hong Kong*. AFCD, Hong Kong

³ Shek, C. T. (2006). *A Field Guide to the Terrestrial Mammals in Hong Kong*. AFCD, Hong Kong

贊助人：香港特區行政長官
曾鈺權先生, GBM
會長：邱在博先生
副會長：鍾逸傑爵士
主席：楊子信先生
行政總裁：羅敏雅先生

義務核數師：均富會計師行
義務公司秘書：合電秘書服務有限公司
義務律師：孖士打律師行
義務司庫：匯豐銀行
註冊慈善機構

Patron: The Honourable Donald Tsang, GBM,
Chief Executive of the HKSAR
President: Mr. Markus Shaw
Vice-President: The Hon. Sir David Akers-Jones, GBM, KBE, JP
Mr. Hans Michael Jørgensen, BBS
Chairman: Mr. Trevor Yang
CEO: Mr. Eric Böhm

Honorary Auditors: Grant Thornton
Honorary Company Secretary:
United Secretaries Limited
Honorary Solicitors: JSM
Honorary Treasurer: HSBC
Registered Charity
(Incorporated With Limited Liability)

5. Incorporating So Lo Pun into Plover Cove Country Park (PCCP)

- High ecological value recognized by the Sha Tau Kok Study, Landscape Value Mapping of Hong Kong (2005) and the Planning Report of So Lo Pun.
- Planning Intention: *protect its high conservation and landscape value which complements the overall naturalness and the landscape beauty of the surrounding PCCP*.
- Incorporating SLP into PCCP is totally in line with the planning intention.
- Any further destruction can be prevented as well



長春社 since 1968

The Conservancy Association

會址：香港九龍青山道 476 號百佳商業中心 1 樓 102 室

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22nd May 2013

Chairman and Members

Town Planning Board

15/F, North Point Government Offices

333 Java Road, North Point, Hong Kong

(email: tpbpd@pland.gov.hk)

Planning Department

District Planning Branch

New Territories District Planning Division

Sai Kung & Islands District Planning Office

(emails: dymng@pland.gov.hk)

Dear Sir/Madam,

Comments on Draft So Lo Pun Outline Zoning Plan (OZP) (No: S/NE-SLP/D)

Referring to the 1032nd meeting of the Town Planning Board held on 26th April 2013, The Conservancy Association (CA) would like to comment on the captioned.


So Lo Pun is such a site of high ecological and landscape importance that require careful planning. CA would support that the area should be protected by conservation zonings, including woodland area, estuarine mangrove, mudflat, blackish marsh, floodplain, So Lo Pun Ecologically Important Stream.

The seagrass bed in So Lo Pun serves high ecological importance as it has only been found at six locations in Hong Kong¹. With reference to excavation works before the implementation of DPA in So Lo Pun, however, we are of grave concern that it would still be vulnerable to site formation work in attempt to fulfill so-called "agricultural use". Previous research had once proposed to designate seagrass together with the adjacent mangrove community as Site

¹ Wong, C., Lau, M., Ades, G., Chan, B., & Ng, S.C. (2003). A Pilot Biodiversity Study of the eastern Frontier Closed Area and North East New Territories, June-December 2003

of Special Scientific Interest (SSSI)², and we hope that Planning Department would take this into consideration.

Yours faithfully,



Ng Hei Man
Assistant Campaign Manager

Cc
Country and Marine Park Board
Kadoorie Farm and Botanic Garden Corporation
WWF – Hong Kong
Green Power
Designing Hong Kong

² Kadoorie Farm and Botanic Garden (2004). *A Pilot Biodiversity Study of the eastern Frontier Closed Area and North East New Territories, Hong Kong, June-December 2003*. Kadoorie Farm and Botanic Garden Publication Series No.1. Kadoorie Farm and Botanic Garden, Hong Kong Special Administrative Region.



"Tony Nip"
<tonynip@kfbg.org>

24/05/2013 下午 07:49

To <dchyeung@pland.gov.hk>

cc <dymng@pland.gov.hk>

"Ming Chuan Woo" <mcwoo@kfbg.org>

Subject FW: KFBG's Comments on Draft So Lo Pun Outline Zoning
Plan (OZP) No. S/NE-SLP/D

Dear Donald,

Please help us to deliver the email below and the attached document to the
Chairman, Vice-chairman and Members of the TPB.

Thank You and Best Regards,

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

----- Forwarded Message -----

From: KFBG EAP <eap@kfbg.org>

To: tpbpd@pland.gov.hk, dymng@pland.gov.hk

Cc: kkling@pland.gov.hk, mailbox@afcd.gov.hk, dep@epd.gov.hk, landsd@landsd.gov.hk
Sent: Fri, 24 May 2013 19:44:39 +0800 (HKT)
Subject: KFBG's Comments on Draft So Lo Pun Outline Zoning Plan (OZP) No. S/NE-SLP/D

Dear Sir/ Madam,

We refer to the Draft So Lo Pun Outline Zoning Plan (OZP) No. S/NE-SLP/D in the Town Planning Board (TPB) Paper No. 9331 (26 April 2013).

First of all, we appreciate the effort of the Planning Department (PlanD) in developing the DPA plan and the draft OZP for this site, and we are also pleased to see that, under the draft OZP, many areas of conservation importance at the site have been covered with conservation zonings.

But we consider that this draft OZP should go further; in order to better protect the high conservation and landscape value of the site (which is also the planning intention of this plan), the points suggested below are critical.

1. Agricultural Use in Conservation Area (CA) zone

You are probably aware of the "farming activities" at Pak Sha O, Sai Kung and Yi O, Lantau which appeared last year. Based on our site observation, we consider that agricultural activities can sometimes cause significant impacts on natural habitats. In particular, converting marshy areas back to farmland can sometimes create significant ecological impacts, including vegetation clearance and habitat destruction; observation from other areas in Hong Kong also indicate that if an active farmland is close to ecologically sensitive areas, such as watercourses, indirect ecological impacts would appear (e.g. runoff from farmland would contain pesticide/fertilizer and can severely pollute the stream).

We are not advocating that no farming activities should be allowed at the site but we consider that farming activities should be controlled in an orderly manner, especially within sites of high conservation importance. We thus recommend moving "Agricultural Use" from Column 1 (Uses always permitted) to Column 2 (Uses that may be permitted with or without conditions on application to the TPB) in the Notes (Schedule of Uses) of the CA zone. By making this change, we consider that the authorities, the Board and the public can better monitor the activities in the ecologically sensitive areas within the site, and the sensitive habitats such as the mangrove, seagrass bed, freshwater marsh and watercourses can be better protected; but at the same time the right of the land owner and also the wider interest of the general public (i.e. nature conservation and protection of natural landscape) can be respected. For instance, if in the future someone applies to set up a farm in the ecologically sensitive area, the Board can set approval conditions, in consultation with relevant departments, to ensure that the key areas/ habitats (e.g. the seagrass bed) would not be significantly affected. Indeed, as mentioned in a letter from the Conservancy Association dated 22 May 2013, the area with seagrass and

mangrove at the site can be considered to be designated as a SSSI, and we in general agree with this, in view of the status of the rare seagrass species, *Zostera japonica*; in general, under the SSSI zone, agricultural use is usually in Column 2.

According to the Gist of Representations for the So Lo Pun DPA plan

(
http://www.info.gov.hk/tpb/tc/plan_making/Attachment/20101210/DPA_NE-SLP_1_gist_of_representations_eng_chi.pdf),

the issues regarding farmland reactivation at the site has already been discussed; according to the Planning Report on So Lo Pun prepared by the PlanD (hereafter called the Planning Report), suspected illegal tree felling activities and illegal excavation on Government Land were detected in 2008 and 2010 respectively. We would like to remind the Board and the PlanD that if now the ecologically sensitive areas are turned into farmland (e.g. under the name of farmland restoration, carrying out vegetation clearance, re-profiling, etc), the ecologically impacts caused can be highly significant and the planning intention of this draft OZP (as mentioned in Section 8 of the TPB Paper No. 9331, is to protect the high conservation and landscape value of the site) would not be able to be upheld. We thus urge that appropriate planning control should be in place for these activities, as the site is highly sensitive ecologically.

2. Watercourses within the Site

We are concerned that some watercourses (at least one is a tributary of the main watercourse as shown in the LandsD map (please see attached)) are covered under V zone now. We urge that these watercourses and their riparian zones should not be covered under V zone. We are concerned that in the future, construction and operation of small houses may generate sewerage (e.g. construction runoff); if this runoff enters these watercourses, the main stream and the wetland in the downstream area would be affected. We recommend that buffer zone (conservation zonings) should be set up to separate these watercourses (especially the main tributary) and the V zone.

We appreciate that the lower section of the main watercourse is now covered under CA zone. However, we recommend that the upper section, which is now covered under the Green Belt (GB) zone (in which Barbecue Spot, Picnic Area and Tent Camping Ground are "uses always permitted"), and the riparian areas, should also be covered by CA zone. As indicated above, within the GB zone, some uses (during construction and/ or operation) can be highly destructive, from an ecological perspective, and may affect the stream and the riparian zone significantly. In addition, please be informed that we (KFBCG) have already recommended to the AFCD that they designate the upper section of the So Lo Pun stream to be an Ecologically Important Stream (EIS), in order to reflect the ecological connectivity of this section with the lower section (which has already been designated as an EIS) and also its own ecological importance. In fact, any pollutant entering the upper section would affect the lower section, and the marsh, the mangrove and the seagrass bed which are connected with the stream would also be affected. In order to better protect the whole wetland ecosystem (the lower stream section, the freshwater marsh, the mangrove and the seagrass bed) which has

been identified by the AFCD to be of considerable ecological importance, and the rare aquatic species such as the Rice Fish and the Water Fern in this system, we recommend that this upper section and its riparian area should share the same protection status with the lower section (i.e. covered with CA zone; and the land use category of this CA zone should be the same as the one recommended above).

The stream system at So Lo Pun is shown in the attached figure (the blue dashed line indicates the existing lower stream section).

3. Village Type Development Zone (V zone)

There is a V zone of about 2.52 ha proposed. Although it seems that the proportion (about 9.1% of the enclave) is not high, we are still concerned that a V zone of such size would create impacts. It should be noted that the site now has no appropriate vehicular access, and also no existing/ planned/ committed public sewer. Any increase in the population in the future would increase the sewage volume and also the level of human disturbance. The transportation of construction material to the site may affect the surrounding (of course the construction of small houses may also create impacts). We urge that a holistic view should be applied in the planning of this enclave (and also other enclaves having similar situation, e.g. completely surrounded by CP). We do not consider that the V zone should be further enlarged (in view of all the constraints above), but instead we hope that the size of the V zone could be reduced. Indeed, according to the Planning Report, there is no population in the Area (based on the 2011 Census).

4. Miscellaneous

Barbecue Spot is an always-permitted use in the GB zone. We are concerned that such an arrangement may increase the hill fire risk of the area as the site is covered with and surrounded by dense vegetation. We hope that this use can be moved from Column 1 to Column 2 in the Notes (Schedule of Uses) of the GB zone; with this change, the authorities, the Board and the public can better monitor the activities at the site.

Thank You and Best Regards,

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden
Lam Kam Road, Tai Po, N.T., Hong Kong

cc. AFCD, Conservancy Association, Designing Hong Kong, EPD, Green Power, LandsD, WWF-HK



SLP map.jpg

