TOWN PLANNING BOARD

TPB PAPER NO. 9613 FOR CONSIDERATION BY THE TOWN PLANNING BOARD ON 2.5.2014

DRAFT KO LAU WAN OUTLINE ZONING PLAN NO. S/NE-KLW/B PRELIMINARY CONSIDERATION OF A NEW PLAN

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1. <u>Purpose</u>

The purpose of this paper is to seek Members' agreement:

- (a) that the draft Ko Lau Wan Outline Zoning Plan (OZP) No. S/NE-KLW/B (the Plan) (Appendix I) together with its Notes (Appendix II) are suitable for consultation with the Tai Po District Council (TPDC) and Sai Kung North Rural Committee (SKNRC); and
- (b) that the Explanatory Statement (ES) (**Appendix III**) is an expression of the planning intentions and objectives of the Town Planning Board (the Board) for the various land use zonings of the draft OZP and is suitable for consultation with the TPDC and SKNRC together with the draft OZP.

2. <u>Background</u>

- 2.1 On 26.8.2011, the draft Ko Lau Wan DPA Plan No. DPA/NE-KLW/1 was exhibited for public inspection under section 5 of the Ordinance. During the two-month exhibition period, three representations were received. On 18.11.2011, the representations were published for three weeks for public comment and no comment was received. After giving consideration to the representations on 9.3.2012, the Board decided not to propose any amendment to the draft DPA plan to meet the representations.
- 2.2 On 26.6.2012, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Ko Lau Wan DPA Plan, which was subsequently renumbered as DPA/NE-KLW/2. On 13.7.2012, the approved Ko Lau Wan DPA Plan No. DPA/NE-KLW/2 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.3 Pursuant to section 20(5) of the Ordinance, the Ko Lau Wan DPA Plan is effective for a period of three years until 26.8.2014. An OZP has to be prepared to replace the DPA Plan in order to maintain statutory planning control over the Area upon expiry of the DPA Plan.
- 2.4 On 12.3.2014, 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 Area.

3. <u>Strategic Planning Context</u>

- 3.1 The Area covers Ko Lau Wan and Tan Ka Wan. It is bounded by Sai Kung East Country Park in the east and south, Long Harbour in the west and South Channel in the north (**Plans 1 to 3**).
- 3.2 With reference to the Landscape Value Mapping of Hong Kong (2005), the Area covers two types of Landscape Character Areas (LCAs), 'Wong Mau Kok Peninsula' and 'Tan Ka Wan Headland', which forms part of the coastal uplands and hillsides landscape on the northern peninsula of Sai Kung East Country Park and categorized as of high landscape and scenic value, especially the northern part of the Area which is at the entrance of Long Harbour and is visually exposed to other LCAs and therefore relatively sensitive to the surrounding landscape. The Area is located at the northern coastal area of rolling hills, extending from Nam She Au towards Tap Mun. The natural landscape includes natural rocky foreshore, cove, estuary, hillside, woodland, scrubland and grassland, which is consistent with the landscape of the adjacent Sai Kung East Country Park. In general, the Area mostly remains of natural coastal, rural countryside, with tranquil and visual coherence, except for some rural villages and few community/recreation developments (Figures 5a and 5b of Appendix IV).
- 3.3 The planning framework for the Area is to protect the natural scenic character of the Area from uncontrolled development and avoid disturbances to areas with high landscape and ecological value. Details of the land use considerations are contained in the Planning Report on the Area at **Appendix IV**. Some major issues in relation to the proposed zonings are stated below.

4. <u>Issues Arising from Consideration of the DPA Plan</u>

- 4.1 During the exhibition period of the draft DPA Plan, a total of three representations were received. The major proposals raised by the representers are re-capitulated below:
 - (a) The local villagers propose to expand the "V" zones to the surrounding areas.
 - (b) A concern group, namely Designing Hong Kong Limited, proposes to prepare DPA plans for all areas yet to be covered and, the processing of land grant applications under the New Territories Exempted House policy should be suspended in order to avoid increasing development pressure and demand for compensation.
- 4.2 Since the gazettal of the draft DPA Plan on 26.8.2011, no planning application within the Area has been received by the Board.

5. <u>Town Planning Board's Decisions and Instructions</u>

On 9.3.2012, the Board decided not to propose any amendment to the draft DPA Plan to meet the representations. It was agreed that detailed land use zonings would be worked out during the OZP preparation stage taking account of the results of relevant assessments on various aspects including development need, conservation value, the environment, infrastructure, landscape character, etc. in consultation with relevant stakeholders.

6. <u>Object of the Plan</u>

- 6.1 The object of the Plan is to indicate the broad land-use zonings for the Area so that development and redevelopment within the Area can be put under statutory planning control. It also provides the planning framework for preparing more detailed non-statutory plans which form the basis for public works planning and site reservation for various uses.
- 6.2 The draft OZP is to illustrate the broad principles of development and to provide guidance for more detailed planning. It is a small-scale plan, and the road alignments and boundaries between the land use zones may be subject to minor adjustments as detailed planning and development proceed.

7. <u>The Planning Scheme Area</u>

- 7.1 The Area covers a total area of about 35.91 hectares. It is bounded by Sai Kung East Country Park in the east and south, Long Harbour in the west and South Channel in the north.
- 7.2 The Area is rural in character comprising mainly village houses and fallow agricultural land surrounded by shrubs and woodland. There are various natural streams in the Area, including the one flowing from Sai Kung East Country Park through Tan Ka Wan at the southern part of the Area to Long Harbour. However, according to Agriculture, Fisheries and Conservation Department (AFCD), they are not Ecologically Important Streams. Some mangrove stands along the coast and estuarine at Tan Ka Wan. While most of the flora and fauna recorded in the area are common and widespread in territory, a protected plant species, *Pavetta hongkongensis* (香港大沙葉) is recorded in the woodlands.
- 7.3 Two recognised villages, namely Ko Lau Wan and Tan Ka Wan (i.e. Tse Uk, Lau Uk, Lam Uk and Mo Uk), are located in the northern and southern parts of the Area respectively. There are graves at the hillslopes located to the south-east of Ko Lau Wan and the south-west of Tan Ka Wan. The Ling Oi Tan Ka Wan Centre (a drug rehabilitation centre managed by Evangelical Lutheran Church of Hong Kong) is situated at the knoll in the southwestern part of the Area.

8. <u>Land Use Planning Considerations</u>

Natural Environment

- 8.1 Long and continuous natural coastlines are located along the northern and eastern parts of the Area, which primarily consist of coastal vegetation, rocky and boulder coasts fringing the Area, and a sandy estuary with some mangroves at Tan Ka Wan. It is proposed to zone these areas as "Coastal Protection Area" ("CPA") in order to provide a buffer between the adjoining village areas and the marine environment (**Figures 5a, 5c, 5d and 11 of Appendix IV**).
- 8.2 Except for the existing village clusters and some Government, Institution or Community (GIC) developments, the remaining areas are mainly large stretches of woodland, scrubland and grassland adjacent to the Sai Kung East Country Park. While there is neither fung shui woodland nor Ecologically Important Stream (EIS), the vegetated habitats therein are largely composed of native The woodlands and scrublands, in particular, are contiguous and species. ecologically-linked with the wide stretch of vegetation in the adjoining Sai Kung East Country Park. While most of the flora and fauna recorded in the area are common and widespread in the territory, a protected plant species, Pavetta hongkongensis (香港大沙葉) is recorded in the woodlands. Some of these woodland and scrubland has developed from abandoned agricultural land while some others are partially disturbed due to anthropogenic activities. It is proposed to zone these areas as "Green Belt" ("GB") in order to provide a buffer between the village type developments and sensitive natural environment of the Country Park (Figures 5a, 5b, 5d and 11 of Appendix IV). The AFCD considers that designating these areas as "GB" is appropriate.

Government, Institution or Community Developments and Public Transport Facility

- 8.3 A number of GIC developments, namely Ling Oi Tan Ka Wan Centre situated at the knoll in the southwestern part of the Area, CLP Ko Lau Wan Standby Generator Room and three latrines, are still in operation serving the needs of the local community and visitors. To reflect these existing GIC developments on site, it is proposed to zone these developments as "Government, Institution or Community" ("G/IC") (**Figures 6a, 6d, 6e, 6i, 6j and 11 of Appendix IV**).
- 8.4 Adjacent to the existing village cluster of Ko Lau Wan at the northeastern coast of the Area, Ko Lau Wan Public Pier is the major public transport facility of the Area. To reflect this as-built public transport facility, it is proposed to zone the site as "Other Specified Uses" ("OU") annotated 'Pier' (Figures 6a, 6c and 11 of Appendix IV).

Land for Village Development

- 8.5 Since the publication of the DPA Plan, the local villagers have been asking for reservation of sufficient land in the Area to cope with the Small House demand. Subsequent to the exhibition of the draft Ko Lau Wan DPA Plan on 26.8.2011, two representations from the local villagers requesting to expand the "V" zones to the surrounding areas were received. On the other hand, another representation submitted by the Designing Hong Kong Limited proposing to suspend processing of land grant applications under the New Territories Exempted House policy in order to avoid increasing development pressure and demand for compensation.
- 8.6 The latest information on the Small House demand has been obtained from the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD). When compared with the previous corresponding figures in 2007, the latest 10-year Small House demand forecasts in 2014 have been increased from 20 to 200 for Ko Lau Wan and from 80 to 318 for Tan Ka Wan. According to the established practice of the Board, if there is a substantial and unjustified increase in the updated 10-year demand forecast figure when compared with the previous corresponding figure when preparing the DPA Plan similar to the cases for Ko Lau Wan and Tan Ka Wan, the latter would be adopted in the preparation of the OZP unless strong justifications are received by the respective Indigenous Inhabitant Representative (IIR). As such, the total Small House demand of 21 for Ko Lau Wan (i.e. current outstanding (1) in 2014 plus previous 10-year forecast (20) in 2007) and 81 for Tan Ka Wan (i.e. current outstanding (1) in 2014 plus previous 10-year forecast (80) in 2007) are adopted. Based on Planning Department (PlanD)'s preliminary estimate, land required for meeting the Small House demand of 21 (for Ko Lau Wan) and 81 (for Tan Ka Wan) is about 0.53 ha and 2.03 ha respectively (Table 1).
- 8.7 With reference to the Small House demand and 'VE' for the recognized villages as enumerated above, PlanD has analyzed the site conditions of the area within 'VE' taking account of the existing village settlement, previously approved Small House application (if any), environmental conditions and natural terrain of the area. Consideration has also been given to the consolidation of Small House development at suitable locations in order to avoid undesirable disturbances to the natural environment and overtaxing the limited infrastructure in the Area. Throughout the plan-making process, concerned departments and the local villagers have been closely liaised to ensure that their views 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. In particular, a joint site meeting with the SKNRC and the local villagers was conducted on 27.3.2014 to exchange views on future land use proposals.

8.8 Ko Lau Wan, a well populated village, is mainly concentrated at the coastal areas along the toe of the hillslopes of traditional burial grounds in the northern part of the Area. Tan Ka Wan is located at the southern part of the Area comprising abandoned houses on coastal land, estaurines, mangroves, wetlands, beaches, and hill top. Given the scenic natural environment with landscape value and rural setting 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. Discounting the surrounding environmentally sensitive areas, including coastal areas, natural stream and estuarine mangrove, woodland and some as-built GIC developments as well as public transport facility (i.e. the pier) which are zoned "CPA", "GB", "G/IC" and "OU", the residual area for "V" is about 1.66 ha of land (for Ko Lau Wan) and about 1.30 ha of land (for Tan Ka Wan) (Figures 6a, 6b, 6g, 6h and 11 of Appendix IV). The areas reserved for Small House developments mainly cover the existing fallow agricultural land currently covered with some shrubs and vegetation in the vicinity of the existing village clusters.

	Small H Demand Fig		Small I Demand Fig		'VE' Area	"V" zone on	Required land to	Available Land to	Percentage of the new
Village	Outstanding Demand	10-year forecast (2007 – 2016)	Outstanding Demand	10-year forecast (2014 – 2023)	(ha) ('VE' Area on OZP)	draft OZP (ha)	meet new demand (ha)	meet new demand figure (ha)	demand met by available land
Ko Lau Wan	Nil	20*	1*	200*	2.37 (2.36)	1.66	0.53	0.30	57%
Tan Ka Wan	Nil	80	1*	318*	8.75 (8.54)	1.30	2.03	1.14	56%
Total	Nil	100	2	518	11.12 (10.90)	2.96	2.56	1.44	56%

Table 1: Small House Demand for the Area

^k When considering the land use zoning for the "V" zone, it is noted that no justification has been provided by the IIRs for the substantial increase in the latest 10-year forecast. In such circumstances, the updated outstanding demand in 2014, i.e. one for both Ko Lau Wan and Tan Ka Wan, and the previous10-year forecast provided in 2007, i.e. 20 for Ko Lau Wan and 80 for Tan Ka Wan, are adopted as the total Small House demand figures in preparation of the draft OZP.

8.9 There is insufficient land to meet the outstanding and 10-year Small House demand for both Ko Lau Wan (a deficit of about 0.23 ha of land or equivalent to about 9 Small House sites) and Tan Ka Wan (a deficit of about 0.89 ha of land or equivalent to about 36 Small House sites). However, the villagers may apply for Small House development in other zones, including the proposed "GB" zone in the Area, which would be considered by the Board on its individual merits.

8.10 There are a number of streamcourses in the Area, including the natural stream between Lam Uk and Mo Uk at Tan Ka Wan. 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 will be clearly stated 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. <u>Planning Intention</u>

- 9.1 The Area forms an integral part of the natural system of the natural woodlands in the adjoining Sai Kung East Country Park with a wide spectrum of natural habitats including, *inter alia*, mature woodland, hillside scrubland, streamcourses, estuarine mangrove and mudflat, etc., 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 Sai Kung East Country Park.
- 9.2 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.

10. Land Use Zonings

10.1 <u>"Village Type Development" ("V")</u>: Total Area 2.96 ha

10.1.1 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.

- 10.1.2 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. Ko Lau Wan and Tan Ka Wan are two recognized villages in the Area.
- 10.1.3 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.
- 10.1.4 Some areas zoned "V" are overlooked by steep natural hillsides and may be affected by potential natural terrain landslide hazards. For future development in these areas, the developer(s) may be required to carry out natural terrain hazard study and provide suitable hazard mitigation measures, if found necessary, as part of the development.
- 10.1.5 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, the LandsD when processing Small House grant and applications in close proximity to existing stream courses, should consult concerned departments including the AFCD and the PlanD to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.
- 10.1.6 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.
- 10.1.7 There is neither existing nor proposed public sewer in the Area. For Small House development, the design and construction of such systems need to comply with relevant standards and regulations, such as Environmental Protection Department's Practice Note for Professional Person (ProPECC PN) 5/93, for the protection of the water quality of the Area.

10.2 "Government, Institution or Community" ("G/IC"): Total Area 0.23 ha

- 10.2.1 The planning intention of 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.
- 10.2.2 The zone covers Ling Oi Tan Ka Wan Centre (a drug rehabilitation centre managed by Evangelical Lutheran Church of Hong Kong) situated at the knoll in the south-western part of the Area, CLP Ko Lau Wan Standby Generator Room and three latrines.
- 10.2.3 To preserve the rural and low-rise character of the Area as well as provide spatial and visual relief, development/redevelopment within this zone should be restricted to a maximum building height as stipulated on the Plan (i.e. one storey) 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 greater.
- 10.2.4 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height—restrictions may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.
- 10.3 "Other Specified Uses" ("OU"): Total Area 0.05 ha
 - 10.3.1 This zone is intended for specific development(s) and/or uses, which is/are specified in the annotation of the zone. There is only one "OU" zone on the Plan, which is annotated 'Pier' and covers the major existing public transport development in the Area, namely Ko Lau Wan Public Pier.
 - 10.3.2 Development/redevelopment within this zone should be restricted to a maximum building height as stipulated on the Plan (i.e. one storey) 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 greater.
 - 10.3.3 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height—restrictions may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

10.4 <u>"Green Belt" ("GB")</u>: Total Area 28.85 ha

- 10.4.1 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.
- 10.4.2 The sites zoned "GB" include the vegetated hillslopes, natural streams and woodland adjoining the "V" zone. The "GB" zone mainly comprise relatively disturbed, young woodland and shrubby grassland developed from abandoned agricultural land, which provide a buffer between the development and conservation areas or Country Park area.
- 10.4.3 There are two traditional burial grounds at the southeastern part of Ko Lau Wan and the southwestern part of Tan Ka Wan respectively, which are within the "GB" zone. They have been in existence for many years, and are considered as existing use intended for the burial of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities within this zone are generally tolerated.
- 10.4.4 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.
- 10.4.5 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.

10.5 <u>"Coastal Protection Area" ("CPA")</u>: Total Area 3.82 ha

- 10.5.1 This zoning is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.
- 10.5.2 This zone covers the coastal areas along Long Harbour and South Channel, which primarily consist of coastal vegetation, rocky and boulder coasts fringing the Area, and a sandy estuary with some mangroves at Tan Ka Wan.

- 10.5.3 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.
- 10.5.4 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.
- 10.6 The proposed land use pattern of the Area is shown on **Figure 11** of the Planning Report at **Appendix IV.** Detailed land-use proposals of the Area are set out in paragraph 9 of the ES (**Appendix III**).
- 10.7 A comparison of land use zonings on the approved Ko Lau Wan DPA Plan No. DPA/NE-KLW/2 and the draft OZP No. S/NE-KLW/B is shown in the table below:

Land use zoning	Area on approved DPA Plan	Area on draft OZP
"V"	2.61 ha (7.27%)	2.96 ha (8.24%)
"Unspecified"	33.29 ha (92.73%)	-
"G/IC"	-	0.23 ha (0.64%)
"OU(Pier)"	-	0.05 ha (0.14%)
"GB"	-	28.85 ha (80.34%)
"CPA"	-	3.82 ha (10.64%)
Total	36 ha*	35.91 ha*

The difference in the total area between the previously approved DPA plan and the current draft OZP is attributable to rounding of figures.

11. <u>Notes of the Plan</u>

- 11.1 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 other uses for which planning permission from the Board should be sought. The provision for application for planning permission under section 16 of the Ordinance allows flexibility in land-use planning and control of development to meet the changing needs. To provide flexibility for development with design adapted to the characteristics of particular sites, minor relaxation of the specific development restriction(s) stated in the Notes for particular zones may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.
- 11.2 The draft Notes are formulated on the basis of the latest set of Master Schedule of Notes (MSN) endorsed by the Board.

12. Consultation

- 12.1 Prior to the preparation of the draft OZP, the SKNRC and the local villagers have been consulted and joint visit with them were conducted. Subsequently, the draft OZP together with its Notes and Explanatory Statement and the Planning Report have been circulated to the relevant Government bureau and departments for comments. Comments received have been incorporated into the draft OZP, its Notes and ES and Planning Report as appropriate.
- 12.2 Subject to the agreement of the Board, the draft OZP No. S/NE-KLW/B will be submitted to the TPDC and the SKNRC for consultation. Comments from the TPDC and the SKNRC will be submitted to the Board for consideration prior to the publication of the draft OZP under section 5 of the Ordinance.

13. Decision Sought

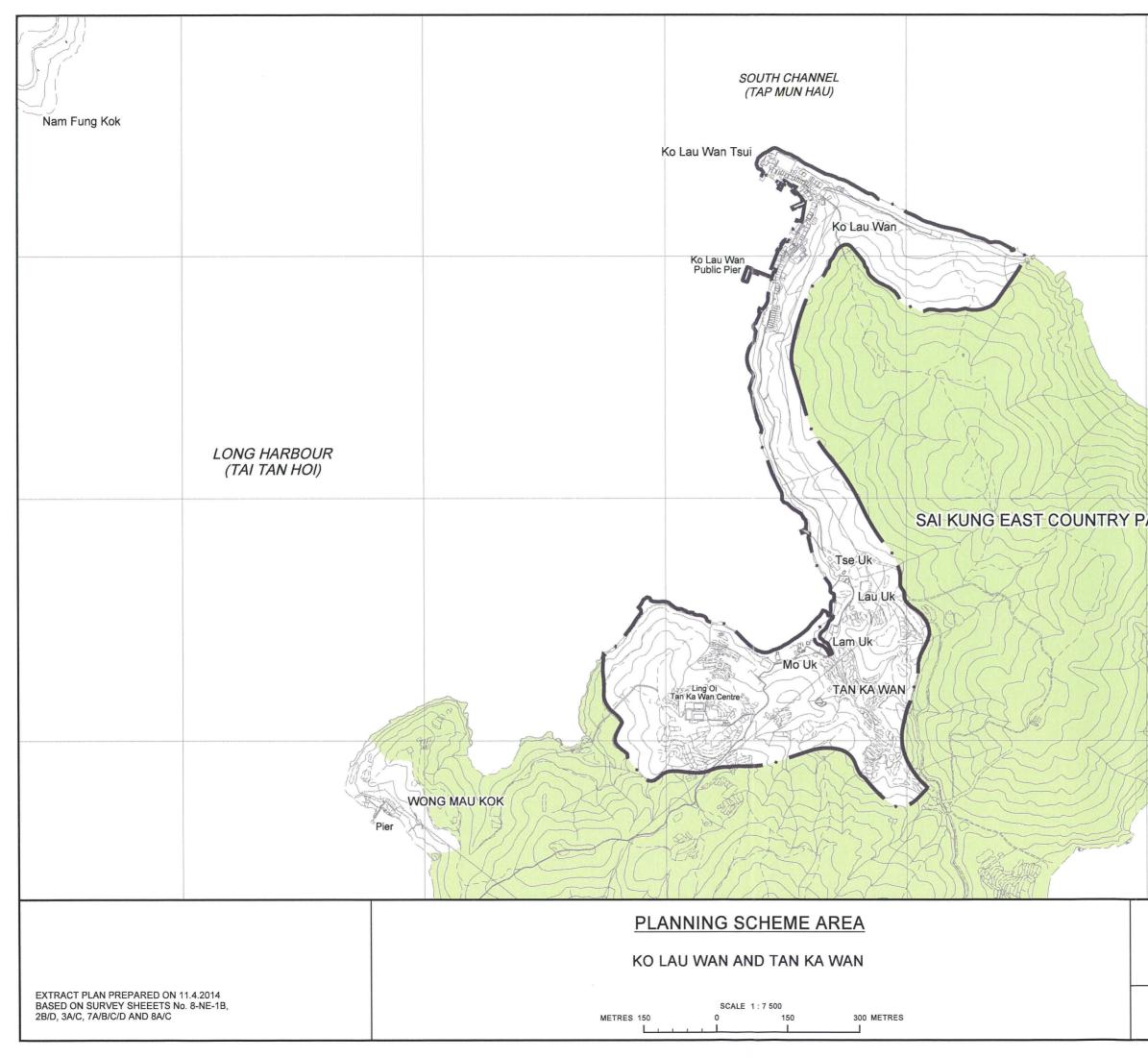
Members are invited to:

- (a) agree that the draft Ko Lau Wan OZP No. S/NE-KLW/B (**Appendix I**) together with its Notes (**Appendix II**) is suitable for consultation with the TPDC and SKNRC;
- (b) agree that the ES (**Appendix III**) is suitable to serve as an expression of the planning intentions and objectives of the Board for various land use zonings of the draft Ko Lau Wan OZP No. S/NE-KLW/B and the ES should be issued under the name of the Board; and
- (c) agree that the ES (**Appendix III**) is suitable for consultation with the TPDC and the SKNRC together with the draft OZP.

14. Attachments

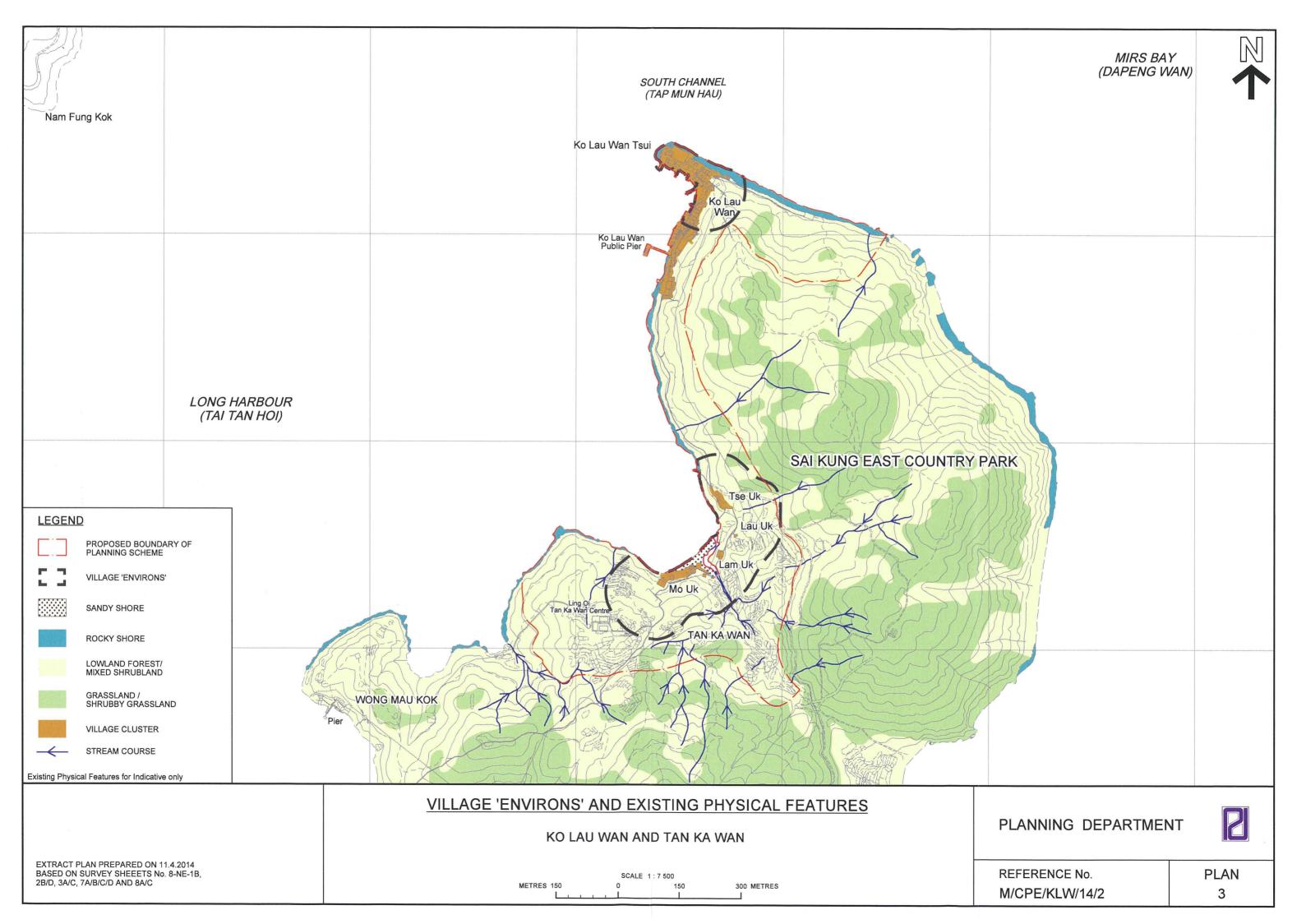
Plan 1	Planning Scheme Area
Plan 2	Aerial Photo
Plan 3	Village Environs Boundary and Existing Physical Features
Appendix I	Draft Ko Lau Wan Outline Zoning Plan No. S/NE-KLW/B
Appendix II	Notes of the Draft Ko Lau Wan OZP No. S/NE-KLW/B
Appendix III	Explanatory Statement of the Draft Ko Lau Wan OZP No. S/NE-KLW/B
Appendix IV	Planning Report on the Ko Lau Wan Area

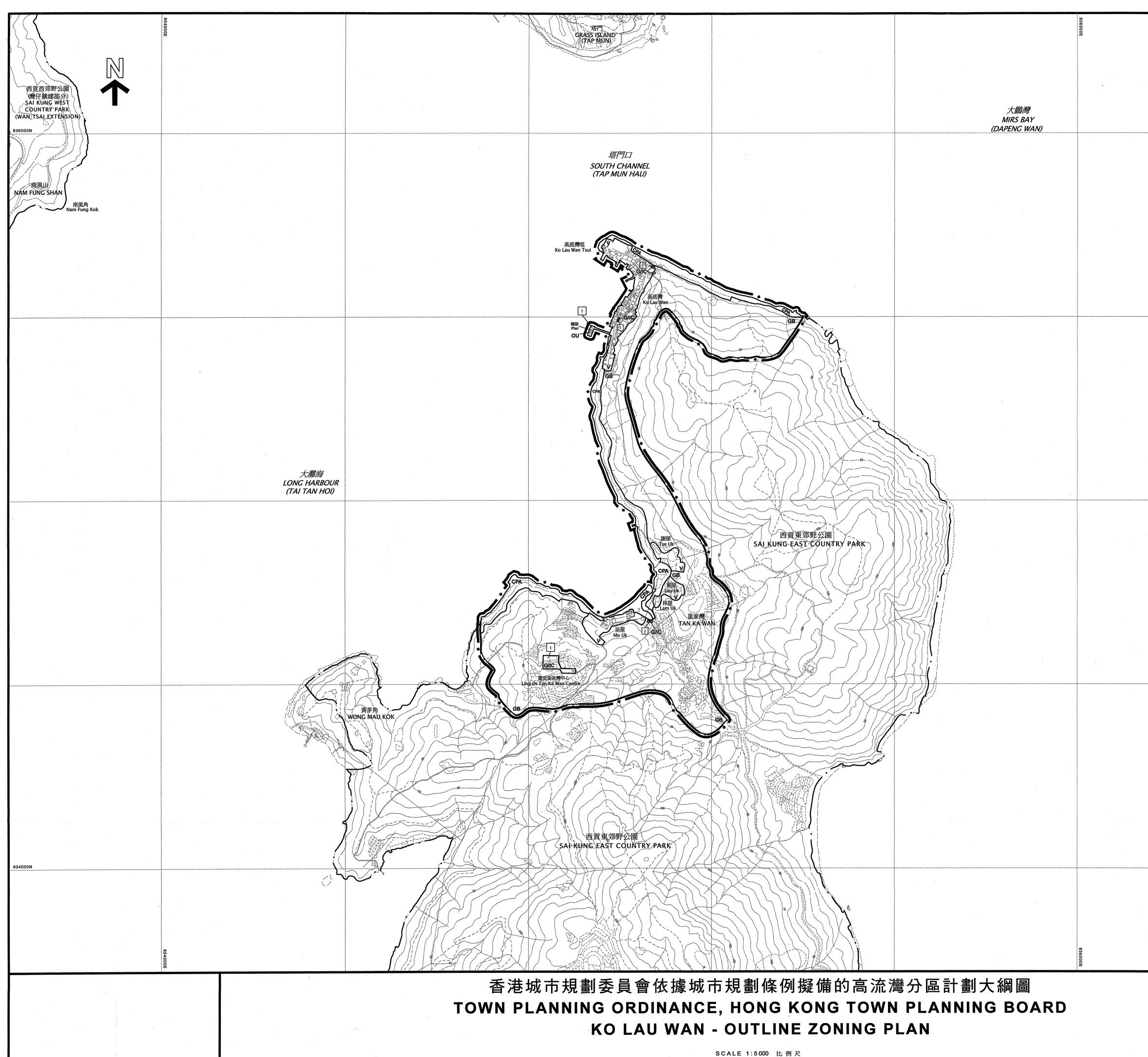
PLANNING DEPARTMENT MAY 2014



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	LEGEND PROPOSED PLANNING S	BOUNDARY OF
	COUNTRY F	
PLANNING	DEPARTMEN	т
REFERENCE M/CPE/KLW		PLAN 1







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800 METRES 米

	圖例	附件— Appendix
	NOTATION	
ZONES		地帶
VILLAGE TYPE DEVELOPMENT	v	鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	G/IC	政 府 、 機 構 或 社 區
OTHER SPECIFIED USES	OU	其他指定用途
GREEN BELT	GB	綠化地帶
COASTAL PROTECTION AREA	СРА	海岸保護區
MISCELLANEOUS		其他
BOUNDARY OF PLANNING SCHEME	······	規劃範圍界級
BOUNDARY OF COUNTRY PARK / SPECIAL AREA		郊 野 公 園 特 別 地 區 界 絼
MAXIMUM BUILDING HEIGHT (IN NUMBER OF STOREYS)	1	最 高 建 築 物 高 度 (樓 層 數 目)

836000N

834000

土地用途及面積一覽表 SCHEDULE OF USES AND AREAS				
	大約面積及百分率 APPROXIMATE AREA & %		шò	
USES	公頃 HECTARES	% 百分率	用途	
VILLAGE TYPE DEVELOPMENT	2.96	8.24	鄉村式發展	
GOVERNMENT, INSTITUTION OR COMMUNITY	0.23	0.64	政 府 、 機 構 或 社 區	
OTHER SPECIFIED USES	0.05	0.14	其他指定用途	
GREEN BELT	28.85	80.34	綠化地帶	
COASTAL PROTECTION AREA	3.82	10.64	海岸保護區	
TOTAL PLANNING SCHEME AREA	35.91	100.00	規劃範圍總面積	

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

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-KLW/B

DRAFT KO LAU WAN OUTLINE ZONING PLAN NO. S/NE-KLW/B

(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" or "Coastal Protection Area":
 - (a) maintenance, repair or demolition of a building;
 - (b) provision, maintenance or repair of plant nursery, amenity planting, open space, rain shelter, refreshment kiosk, footpath, bus/public light bus stop or lay-by, cycle track, taxi rank, public utility pipeline, electricity mast, lamp pole, telephone booth, telecommunications radio base station, automatic teller machine and shrine;
 - (c) maintenance or repair of road, watercourse, nullah, sewer and drain;
 - (d) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities and waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government;
 - (e) rebuilding of New Territories Exempted House;
 - (f) replacement of an existing domestic building, i.e. a domestic building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, by a New Territories Exempted House; and
 - (g) provision, maintenance or repair of a grave of an indigenous New Territories villager or a locally based fisherman and his family members for which permission has been obtained from Government.
- (9) In areas zoned "Conservation Area" or "Coastal Protection Area",
 - (a) the following uses or developments are always permitted:
 - (i) maintenance or repair of plant nursery, amenity planting, sitting out area, rain shelter, refreshment kiosk, road, watercourse, nullah, public utility pipeline, electricity mast, lamp pole, telephone booth, shrine and grave;
 - geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities, waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government; and
 - (iii) provision of amenity planting by Government; and

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

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

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

road and on-street vehicle park.

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

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

- (b) Except as otherwise provided in paragraph (11)(a), and subject to temporary uses for open storage and port back-up purposes which are prohibited in areas zoned "Conservation Area" or "Coastal Protection Area", temporary use or development of any land or building not exceeding a period of three years requires permission from the Town Planning Board. Notwithstanding that the use or development is not provided for in terms of the Plan, the Town Planning Board may grant permission, with or without conditions, for a maximum period of three years, or refuse to grant permission.
- (c) Temporary use or development of land or building exceeding three years requires permission from the Town Planning Board in accordance with the terms of the Plan.
- (12) Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted uses and developments within the same zone are always permitted and no separate permission is required.
- (13) In these Notes, unless the context otherwise requires or unless as expressly provided below, terms used in the Notes shall have the meanings as assigned under section 1A of the Town Planning Ordinance.

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

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

DRAFT KO LAU WAN OUTLINE ZONING PLAN NO. S/NE-KLW/B

Schedule of Uses

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VILLAGE TYPE DEVELOPMENT

	Column 2
Column 1	Uses that may be permitted with or
Uses always permitted	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 #
	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.

<u>Remarks</u>

- (a) No new development, or addition, alteration and/or modification to or redevelopment of an existing building (except development or redevelopment to those annotated with #) shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23m) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, whichever is the greater.
- (b) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (c) Any diversion of streams or filling of pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

GOVERNMENT, INSTITUTION OR COMMUNITY

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

Ambulance Depot Animal Quarantine Centre (in Government building only) Broadcasting, Television and/or Film Studio Eating Place (Canteen, Cooked Food Centre only) **Educational Institution** Exhibition or Convention Hall Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) Hospital Institutional Use (not elsewhere specified) Library Market Pier Place of Recreation, Sports or Culture **Public Clinic Public Convenience** Public Transport Terminus or Station **Public Utility Installation Public Vehicle Park** (excluding container vehicle) **Recyclable Collection Centre Religious Institution** Research, Design and Development Centre Rural Committee/Village Office School Service Reservoir Social Welfare Facility **Training Centre** Wholesale Trade

Animal Boarding Establishment Animal Quarantine Centre (not elsewhere specified) Columbarium **Correctional Institution** Crematorium **Driving School** Eating Place (not elsewhere specified) Flat **Funeral Facility** 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) Marine Fuelling Station Off-course Betting Centre Office Petrol Filling Station Place of Entertainment Private Club Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation **Residential Institution** Sewage Treatment/Screening Plant Shop and Services Utility Installation for Private Project Zoo

GOVERNMENT, INSTITUTION OR COMMUNITY (Cont'd)

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.

Remarks

- (a) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum building height in terms of number of storeys as stipulated on the Plan, 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.

OTHER SPECIFIED USES

For "Pier" Only

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

Government Use Pier Eating Place Marine Fuelling Station Office Shop and Services (not elsewhere specified)

Planning Intention

This zone is intended primarily to provide land for pier use.

Remarks

- (a) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum building height in terms of number of storeys as stipulated on the Plan, 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.

GREEN BELT

	Column 2
Column 1	Uses that may be permitted with or
Uses always permitted	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** Pier Place of Recreation, Sports or Culture Public Transport Terminus or Station Public Utility Installation

(Please see next page)

GREEN BELT (Cont'd)

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

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

(Please see next page)

GREEN BELT (Cont'd)

Planning Intention

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

Remarks

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

COASTAL PROTECTION AREA

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use (other than Plant Nursery) Nature Reserve Nature Trail On-Farm Domestic Structure Wild Animals Protection Area	Field Study/Education/Visitor Centre 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 conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion.

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

(Please see next page)

COASTAL PROTECTION AREA (Cont'd)

Remarks

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

Appendix III

DRAFT KO LAU WAN

OUTLINE ZONING PLAN NO. S/NE-KLW/B

EXPLANATORY STATEMENT

DRAFT KO LAU WAN OUTLINE ZONING PLAN NO. S/NE-KLW/B

EXPLANATORY STATEMENT

CONTENTS Page 1. 1 **INTRODUCTION** 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 Government, Institution or Community 7 9.3 Other Specified Uses 7 Green Belt 9.4 8 9.5 **Coastal Protection Area** 8 10. COMMUNICATIONS 9 11. UTILITY SERVICES 9 12. **IMPLEMENTATION** 9 PLANNING CONTROL 13. 10

DRAFT KO LAU WAN OUTLINE ZONING PLAN NO. S/NE-KLW/B

(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 Ko Lau Wan Outline Zoning Plan (OZP) No. S/NE-KLW/B. It reflects the planning intention and objectives of the Town Planning Board (the Board) for various land-use zonings of the plan.

2. <u>AUTHORITY FOR THE PLAN AND PROCEDURE</u>

- 2.1 On 14 July 2011, 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 Ko Lau Wan area.
- 2.2 On 26 August 2011, the draft Ko Lau Wan DPA Plan No. DPA/NE-KLW/1 was exhibited for public inspection under section 5 of the Ordinance. During the two-month exhibition period, 3 representations were received. On 18 November 2011, the representations were published for three weeks for public comment and no comment was received. After giving consideration to the representations on 9 March 2012, the Board decided not to propose any amendment to the draft DPA plan to meet the representations.
- 2.3 On 26 June 2012, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Ko Lau Wan DPA Plan, which was subsequently renumbered as DPA/NE-KLW/2. On 13 July 2012, the approved Ko Lau Wan DPA Plan No. DPA/NE-KLW/2 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.4 On 12 March 2014, 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 Ko Lau Wan area.
- 2.5 On XXXX 2014, the draft Ko Lau Wan OZP No. S/NE-KLW/B (the Plan) was exhibited for public inspection under section 5 of the Ordinance.

3. <u>OBJECT OF THE PLAN</u>

- 3.1 The object of the Plan is to indicate the broad land-use zonings for the area of Ko Lau Wan so that development and redevelopment within the area of Ko Lau Wan 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. <u>NOTES OF THE PLAN</u>

- 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 <u>http://www.info.gov.hk/tpb/</u>.

5. <u>THE PLANNING SCHEME AREA</u>

- 5.1 The Planning Scheme Area (the Area) covers a total area of about 35.91 hectares. The Area is bounded by Sai Kung East Country Park in the east and south, Long Harbour in the west and South Channel in the north. The boundary of the Area is shown by a heavy broken line on the Plan.
- 5.2 The Area is rural in character comprising mainly village houses and fallow agricultural land surrounded by shrubs and woodland. There is a natural stream in Tan Ka Wan flowing from south to north towards Long Harbour. Estuarine mangrove is found at the coastal area. While most of the flora and fauna recorded in the area are common and widespread in territory, a protected plant species, *Pavetta hongkongensis* (香港大沙葉) is recorded in the woodlands.
- 5.3 Two recognised villages, namely Ko Lau Wan and Tan Ka Wan (i.e. Tse Uk, Lau Uk, Lam Uk and Mo Uk), are located in the northern and southern parts of the Area respectively. There are graves at the hillslopes located to the south-east of Ko Lau Wan and the south-west of Tan Ka Wan. Ling Oi Tan Ka Wan Centre (a drug rehabilitation centre managed by Evangelical Lutheran Church of Hong Kong) is situated at the knoll in the southwestern part of the Area

6. <u>POPULATION</u>

According to the 2011 Population Census, the total population of the Area was below 150 persons. It is expected that the total planned population of the Area would be 640 persons mainly attributed to the village expansion.

7. <u>OPPORTUNITIES AND CONSTRAINTS</u>

7.1 <u>Opportunities</u>

7.1.1 Conservation and Natural Landscape

The Area consists of woodland, scrubland, grassland and some natural coastal areas. While there is neither *fung shui* woodland nor Ecologically Important Stream (EIS), the vegetated habitats therein are largely composed of native species. The woodlands and scrublands, in particular, are contiguous and ecologically-linked with the wide stretch of vegetation in the adjoining Sai Kung East Country Park. While most of the flora and fauna recorded in the area are common and widespread in the territory, a protected plant species, *Pavetta hongkongensis* (香港大沙葉) is recorded in the woodlands.

7.1.2 <u>Tourism Potential</u>

The Area is located to the north-east of Wong Shek Public Pier across Long Harbour with ferry service connected in between. There is a bus terminus at Wong Shek Public Pier which is both a popular recreational destination and a transport connection point between Hong Kong's urban area and outlying places (such as Tap Mun, Wan Tsai and Chek Keng, etc.). The Jockey Club Wong Shek Water Sports Centre, south of Wong Shek Public Pier, is popular for various types of waters sports activities, such as sailing, windsurfing and canoeing.

7.2 <u>Constraints</u>

7.2.1 <u>Transportation</u>

At present, the Area is not served by any vehicular access but is only accessible by boats from Wong Shek Public Pier and Ma Liu Shui and by hiking trails leading from Chek Keng.

7.2.2 <u>Geotechnical</u>

The Area, especially those located near the boundary, is overlooked by steep natural hillsides and may be affected by potential natural terrain landslide hazards. For future development in these areas, the developer may be required to carry out a natural terrain hazard study and provide suitable hazard mitigation measures, if found necessary, as part of the development.

7.2.3 Ecological Significance

- 7.2.3.1 The Area forms an integral part of the natural system of the natural woodlands in the adjoining Sai Kung East Country Park with a wide spectrum of natural habitats including mature woodland, hillside scrubland, fallow agricultural land and streamcourses. Estuarine mangrove is also found at the coastal area of Tan Ka Wan.
- 7.2.3.2 The Area is mainly covered by wooded areas, bare ground and village houses. The wooded areas adjacent to Sai Kung East Country Park are relatively undisturbed and ecologically-linked to the natural habitats therein.

7.2.4 Landscape Character

With reference to the Landscape Value Mapping of Hong Kong (2005), the Area covers two types of Landscape Character Areas (LCAs), 'Wong Mau Kok Peninsula' and 'Tan Ka Wan Headland', which forms part of the coastal uplands and hillsides landscape on the northern peninsula of Sai Kung East Country Park and categorized as of high landscape and scenic value, especially the northern part of the Area which is at the entrance of Long Harbour and is visually exposed to other LCAs and therefore relatively sensitive to the surrounding landscape. The Area is located at the northern coastal area of rolling hills, extending from Nam She Au towards Tap Mun. The natural landscape includes natural rocky foreshore, cove, estuary, hillside, woodland, scrubland and grassland, which is consistent with the landscape of the adjacent Sai Kung East Country Park. In general, the Area mostly remains of natural coastal, rural countryside, with tranquil and visual coherence, except for some rural villages and few community/ recreation developments.

7.2.5 <u>Burial Grounds</u>

Two large pieces of permitted burial ground for indigenous villagers comprising mainly natural sloping areas with dense vegetation at the southeast of Ko Lau Wan and the southwest of Tan Ka Wan are not suitable for any development.

7.2.7 <u>Sewerage</u>

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.

7.2.8 Infrastructure and Utility Services

The Area is provided with electricity and telephone services. Potable water supply has been provided to the existing facilities and villagers of the Area.

8. <u>GENERAL PLANNING INTENTION</u>

- 8.1 The Area forms an integral part of the natural system of the natural woodlands in the adjoining Sai Kung East Country Park with a wide spectrum of natural habitats including, *inter alia*, mature woodland, hillside scrubland, streamcourses, estuarine mangrove and mudflat, etc., 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 Sai Kung East 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 development so as to avoid undesirable disturbances to the natural environment and overtaxing the limited infrastructure in the Area.

9. <u>LAND-USE ZONINGS</u>

9.1 <u>"Village Type Development" ("V")</u> : Total Area 2.96 ha

9.1.1 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.

- 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. Ko Lau Wan and Tan Ka Wan are two recognized villages 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 overlooked by steep natural hillsides and may be affected by potential natural terrain landslide hazards. For future development in these areas, the developer(s) may be required to carry out natural terrain hazard study and provide suitable hazard mitigation measures, if found necessary, as part of the development.
- In accordance with the Environmental, Transport and Works Bureau's 9.1.5 Technical Circular (Works) No. 5/2005, under the current administrative practice, development proposals/submissions that may affect natural streams / rivers, the approving / processing authorities at various stages of the development should consult and collate comments from the Agriculture, Fisheries and Conservation Department 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 the Agriculture, Fisheries and Conservation Department and the 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.
- 9.1.7 There is neither existing nor proposed public sewer in the Area. For Small House development, the design and construction of such systems need to comply with relevant standards and regulations, such as Environmental Protection Department's Practice Note for Professional Person (ProPECC PN) 5/93 "Drainage Plans subject to Comment by the Environmental Protection Department", for the protection of the water quality of the Area.

9.2 <u>"Government, Institution or Community" ("G/IC")</u> : Total Area 0.23 ha

- 9.2.1 The planning intention of 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.
- 9.2.2 The zone covers Ling Oi Tan Ka Wan Centre (a drug rehabilitation centre managed by Evangelical Lutheran Church of Hong Kong) situated at the knoll in the southwestern part of the Area, CLP Ko Lau Wan Standby Generator Room and three latrines.
- 9.2.3 To preserve the rural and low-rise character of the Area as well as provide spatial and visual relief, development/redevelopment within this zone should be restricted to a maximum building height as stipulated on the Plan (i.e. one storey) 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 greater.
- 9.2.4 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height restrictions may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

9.3 <u>"Other Specified Uses" ("OU")</u> : Total Area 0.05 ha

- 9.3.1 This zone is intended for specific development(s) and/or uses, which is/are specified in the annotation of the zone. There is only one "OU" zone on the Plan, which is annotated 'Pier' and covers the major existing public transport development in the Area, namely Ko Lau Wan Public Pier.
- 9.3.2 Development/redevelopment within this zone should be restricted to a maximum building height as stipulated on the Plan (i.e. one storey) 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 greater.
- 9.3.3 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height restrictions may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

9.4 <u>"Green Belt" ("GB")</u> : Total Area 28.85 ha

- 9.4.1 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.
- 9.4.2 The sites zoned "GB" include the vegetated hillslopes, natural streams and woodland adjoining the "V" zone. The "GB" zone mainly comprise relatively disturbed, young woodland and shrubby grassland developed from abandoned agricultural land, which provide a buffer between the development and conservation areas or Country Park area.
- 9.4.3 There are two traditional burial grounds at the southeastern part of Ko Lau Wan and the southwestern part of Tan Ka Wan respectively, which are within the "GB" zone. They have been in existence for many years, and are considered as existing use intended for the burial of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities within this zone are generally tolerated.
- 9.4.4 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.
- 9.4.5 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.
- 9.5 <u>"Coastal Protection Area" ("CPA")</u> : Total Area 3.82 ha
 - 9.5.1 This zoning is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.
 - 9.5.2 This zone covers the coastal areas along Long Harbour and South Channel, which primarily consist of coastal vegetation, rocky and boulder coasts fringing the Area, and a sandy estuary with some mangroves at Tan Ka Wan.

- 9.5.3 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.
- 9.5.4 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. <u>COMMUNICATIONS</u>

10.1 Transport Network

The Area is not served by any vehicular access but is only accessible by boats from Wong Shek Public Pier and Ma Liu Shui and by hiking trails leading from Chek Keng.

11. <u>UTILITY SERVICES</u>

The Area is provided with electricity and telephone services. Potable water supply has been provided to the existing facilities and villagers of the areas. There are no sewerage and drainage systems.

12. <u>IMPLEMENTATION</u>

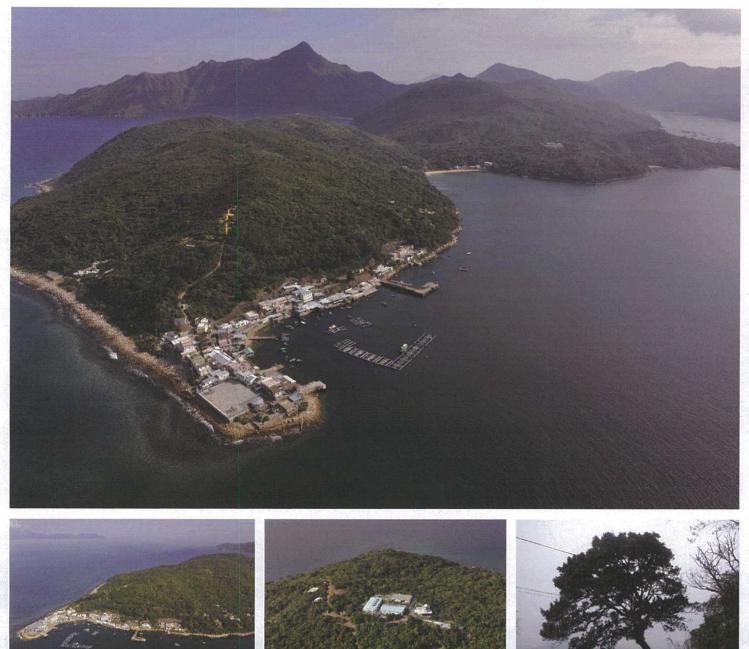
- 12.1 The Plan provides a broad land-use framework for development control and implementation of planning proposals for the Area. More detailed plans will be prepared as a basis for public works planning and private developments.
- 12.2 At present there is no overall programme for the provision of infrastructure 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 as and when resources are available. Private developments will be effected principally through private sector initiatives to develop or redevelop their properties in accordance with the zoned uses indicated on the Plan, provided that their proposals meet Government requirements.

13. <u>PLANNING CONTROL</u>

- 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 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 "CPA".

TOWN PLANNING BOARD XXXX 2014

PLANNING REPORT ON KO LAU WAN









SHA TIN, TAI PO & NORTH DISTRICT PLANNING OFFICE PLANNING DEPARTMENT MAY 2014



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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 Ko Lau Wan 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 at the northeastern tip of Sai Kung Peninsula. It is surrounded by Sai Kung East Country Park in the east and south, Long Harbour (Tai Tan Hoi) in the west and South Channel (Tap Mun Hau) in the north (Figure 1).
- 1.2.2. Lying along the natural coast overlooking Long Harbour and South Channel and being adjacent to Sai Kung East Country Park, the Area has high scenic value forming part of the wider natural system of the Sai Kung countryside. Ko Lau Wan and Tan Ka Wan (i.e. Tse Uk, Lau Uk, Lam Uk and Mo Uk) are the recognized villages of the Area. In general, the Area is rural in character with a scenic setting.
- 1.2.3. Any large scale and uncontrolled development may affect the natural environment and the ecological interest of the Area. There was an urgent need to prepare a development permission area (DPA) plan for the Area to facilitate proper planning control and enforcement. Under the power delegated by the Chief Executive, on 14.7.2011, the Secretary for Development

directed the Town Planning Board (the Board) to prepare a draft plan designating the Area as a DPA.

- 1.2.4. The draft Ko Lau Wan DPA Plan No. DPA/NE-KLW/1 was exhibited for public inspection on 26.8.2011. During the plan exhibition period, a total of three representations and no comment were received. After giving consideration to the representations on 9.3.2012, the Board decided not to propose any amendment to the draft DPA plan to meet the representations.
- 1.2.5. On 26.6.2012, the Chief Executive in Council (CE in C) approved the draft Ko Lau Wan DPA Plan, which was subsequently renumbered as DPA/NE-KLW/2 (Figure 2). On 13.7.2012, the approved Ko Lau Wan DPA Plan No. DPA/NE-KLW/2 was exhibited for public inspection under section 9(5) of the Town Planning Ordinance (the Ordinance).
- 1.2.6. Pursuant to section 20(5) of the Ordinance, the DPA Plan is effective for three years until 26.8.2014. On 12.3.2014, 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
 - 2.1.1. The Area covers a total area of about 35.91 ha. Ko Lau Wan and Tan Ka Wan (i.e. Tse Uk, Lau Uk, Lam Uk and Mo Uk) are the recognized villages. The location of the Area is shown in **Figure 3**.
- 2.2. Natural Features

Physical Setting and Topography

2.2.1. The Area is not served by any vehicular access but is only accessible by boats from Wong Shek Public Pier and Ma Liu Shui and by hiking trails leading from Chek Keng. In general, the Area is rural in character with a few village houses surrounded by fallow agricultural land and woodland. Overview of the Area is shown in **Figure 4**.

Natural Habitats (Figures 5a – 5d)

- 2.2.2. Bounded Sai Kung East Country Park at the east and south overlooking Long Harbour and South Channel at the west and north respectively, the Area has high scenic value forming part of the wider natural system of the Sai Kung countryside. Details of the natural habitats are listed below:
 - (a) Fallow agricultural land

Fallow agricultural land mainly concentrates around the estuarines at the southern part of Tan Ka Wan which are generally covered with grass and shrubs due to the lack of maintenance.

- (b) Woodland/scrubland
 - (i) Woodland and scrubland spread mainly from Sai Kung East Country Park to the coastal area, except the village houses at Ko Lau Wan and Tan Ka Wan.
 - (ii) According to Agriculture, Fisheries and Conservation Department (AFCD), the

vegetated habitats therein are largely composed of native species. The woodlands and scrublands, in particular, are contiguous and ecologically-linked with the wide stretch of vegetation in the adjoining Sai Kung East Country Park.

- (c) Natural stream and estuarine mangrove
 - (i) There are various natural streams in the Area, including the one flowing from Sai Kung East Country Park through Tan Ka Wan at the southern part of the Area to Long Harbour. Some mangrove stands along the coast and estuarine at Tan Ka Wan.
- 2.3. Historical Development
 - 2.3.1. Both Ko Lau Wan and Tan Ka Wan are recognized villages of Sai Kung North Heung. Currently, Ko Lau Wan is primarily occupied by local fishermen, whereas Tan Ka Wan mainly comprises abandoned houses in dilapidated condition on coastal lands. However, there is no record of declared monument, graded historic buildings and site of archaeological interest in the Area.
- 2.4. Population and Employment
 - 2.4.1. According to 2011 Census, the population of the Area was estimated to be about 150 persons. Considerable amount of agricultural land has been lying fallow overgrown with shrubs and grass.
- 2.5. Existing Land Uses (Figures 6a 6j)

The Area is rural and natural in character comprising mainly

village houses and fallow agricultural land surrounded by shrubs and woodland. The northern part of the Area, where the recognized village of Ko Lau Wan is located, is primarily a long narrow strip of land sandwiched between the hill slopes of Sai Kung East Country Park and the sea. The southern part of the Area comprises another recognized village, i.e. Tan Ka Wan, mainly with abandoned houses on the coastal areas, estuarine mangrove and beaches. The major existing land uses include the following:

Village Type Development

- 2.5.1. Ko Lau Wan and Tan Ka Wan (i.e. Tse Uk, Lau Uk, Lam Uk and Mo Uk) are recognized villages in the Area. Being mostly occupied by local fishermen, Ko Lau Wan is still well-populated. However, Tan Ka Wan is sparsely populated with abandoned houses in dilapidated condition.
- 2.5.2. According to District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD), the number of outstanding Small House applications is one for both Ko Lau Wan and Tan Ka Wan while the number of 10-year Small House demand is 200 for Ko Lau Wan and 318 for Tan Ka Wan.

Government, Institutional or Community Development

2.5.3. A number of government, institutional or community (GIC) developments are still in operation serving the needs of the local community and visitors. Typical GIC developments found in the Area includes the sitting-out area at the northern tip of Ko Lau Wan, CLP Ko Lau Wan Standby Generator Room, Ling Oi Tan Ka Wan Centre (a drug rehabilitation centre managed by Evangelical Lutheran Church of Hong Kong) situated at the knoll in the south-western part of the Area and three latrines. Due to changed circumstances, various GIC developments, namely the ex-marine fuelling station at Ko Lau Wan, the ex-Ko Lau Wan Fishermen's School and another ex-village school (崇明學校) at Tan Ka Wan, are currently vacant.

Burial Grounds

- 2.5.4. There are graves at the hillslopes located to the southeast of Ko Lau Wan and the southwest of Tan Ka Wan (Figure 7).
- 2.6. Land Ownership
 - 2.6.1. The majority of land in the Area (about 85%) is Government land. The remaining 15% are private land comprising mainly fallow agricultural land in the southern part of the Area (**Figure 7**).
- 2.7. Transportation
 - 2.7.1. At present, the Area is not served by any vehicular access but is only accessible by boats from Wong Shek Public Pier and Ma Liu Shui and by hiking trails leading from Chek Keng (Figure 8). Ko Lau Wan Public Pier is the major public transport facility of the Area.
- 2.8. Infrastructure and Utility Services
 - 2.8.1. The Area is provided with electricity and telephone services. Potable water supply has been provided to the existing facilities and villagers of the areas. There are no public sewerage and drainage systems.

3. PLANNING ANALYSIS

3.1. Planning Contexts

- 3.1.1. Given the natural environment and high landscape sensitivity of the Area coupled with its limited accessibility due to the lack of vehicular access, the planning framework for the Area should fundamentally be for preservation of the natural environment. Any large scale development is not recommended to minimize the disturbance to the existing landscape and adjoining Country Park.
- 3.1.2. With reference to the Landscape Value Mapping of Hong Kong (2005), the Area covers two types of Landscape Character Areas (LCAs), 'Wong Mau Kok Peninsula' and 'Tan Ka Wan Headland', which forms part of the coastal uplands and hillsides landscape on the northern peninsula of Sai Kung East Country Park and categorized as of high landscape and scenic value, especially the northern part of the Area which is at the entrance of Long Harbour and is visually exposed to other LCAs and therefore relatively sensitive to the surrounding landscape. The Area is located at the northern coastal area of rolling hills, extending from Nam She Au towards Tap Mun. The natural landscape includes natural rocky foreshore, cove, estuary, hillside, woodland, scrubland and grassland, which is consistent with the landscape of the adjacent Sai Kung East Country Park. In general, the Area mostly remains of natural coastal, rural countryside, with tranquil and visual coherence, except for some rural villages and few community/recreation developments.
- 3.2. Environmental and Conservation Considerations (Figure 9)

- 3.2.1 The Area consists of woodland, scrubland, grassland and some natural coastal areas. While there is neither *fung shui* woodland nor Ecologically Important Stream (EIS), the vegetated habitats therein are largely composed of native species. The woodlands and scrublands, in particular, are contiguous and ecologically-linked with the wide stretch of vegetation in the adjoining Sai Kung East Country Park. While most of the flora and fauna recorded in the area are common and widespread in the territory, a protected plant species, *Pavetta hongkongensis* (香港大沙葉) is recorded in the woodlands.
- 3.3. Development Constraints (Figure 10)

Transportation

3.3.1. At present, the Area is not served by any vehicular access but is only accessible by boats from Wong Shek Public Pier and Ma Liu Shui and by hiking trails leading from Chek Keng.

Geotechnical

- 3.3.2. The Area is underlain by volcanic rocks (coarse ash crystal tuff). Debris flow deposits, which comprise unsorted materials, occur on the slopes near Tan Ka Wan. Alluvium, which comprises sorted materials, occurs on the floor of the valley between Mo Uk and Lam Uk. Beach deposits (mainly sand) occur at the bay near Mo Uk and Lam Uk. There is no geological fault present in the area.
- 3.3.3. The Area, especially those located near the boundary, is overlooked by steep natural hillsides and may be

affected by potential natural terrain landslide hazards. For future development in these areas, the developer may be required to carry out a natural terrain hazard study and provide suitable hazard mitigation measures, if found necessary, as part of the development.

Burial Grounds

3.3.4. Two large pieces of permitted burial ground for indigenous villagers comprising mainly natural sloping areas with dense vegetation at the south-east of Ko Lau Wan and the south-west of Tan Ka Wan are not suitable for any development.

Sewerage

3.3.5. There is no existing public sewer nor any committed/planned sewerage project for the Area. Currently, on-site discharge system such as septic tanks and soakaway pits are generally used in the 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

3.3.6. The Area is provided with electricity and telephone services. Potable water supply has been provided to the existing facilities and villagers of the Area.

3.4. Development Opportunities

Conservation and Natural Landscape

3.4.1. Adjacent to Sai Kung East Country Park, the Area has high scenic and landscape value forming part of the wider natural system of Sai Kung countryside comprising a diversity of woodland, scrubland, abandoned agricultural land, stream and mangrove, which support a diversity of flora and fauna. The Area is also overlooking Long Harbour and South Channel with high quality scenery and landscape. It is worthy of conservation while the scale of the village development should be compatible with the rural setting and surrounding landscape.

Tourism Potential

- 3.4.2. The Area is located to the north-east of Wong Shek Public Pier across Long Harbour with ferry service connected in between. There is a bus terminus at Wong Shek Public Pier which is both a popular recreational destination and a transport connection point between Hong Kong's urban area and outlying places (such as Tap Mun, Wan Tsai and Chek Keng, etc.). The Jockey Club Wong Shek Water Sports Centre, south of Wong Shek Public Pier, is popular for various types of waters sports activities, such as sailing, windsurfing and canoeing.
- 3.5. Development Pressure
 - 3.5.1. Due to its significant ecological, scenic and landscape value with easy marine access, there is an urgent need to better protect the natural and landscape character of the Area from uncontrolled development.
 - 3.5.2. Ko Lau Wan and Tan Ka Wan are recognized villages. According to LandsD, the number of outstanding Small House applications is one for both Ko Lau Wan and

Tan Ka Wan while the number of 10-year Small House demand forecast is 200 for Ko Lau Wan and 318 for Tan Ka Wan. Land should be reserved to meet the future demand of village house developments.

- 3.5.3. As at April 2014, no planning application in the Area has been received by the Board.
- 3.6. Development Proposals received since the Gazettal of the DPA Plan
 - 3.6.1. No specific views/ proposals were received from the local villagers or the environmental concern groups in the course of preparation of the OZP.

4. PLANNING PROPOSALS

4.1. The Outline Zoning Plan

The draft Ko Lau Wan 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 Ko Lau Wan DPA Plan No. DPA/NE-KLW/2, which was exhibited for public inspection under section 9(5) of the Ordinance on 13.7.2012. 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 is adjoining to Sai Kung East Country Park overlooking Long Habour and South Channel. It comprises a diversity of natural habitats including, *inter alia*, mature woodland, hillside scrubland, natural stream and estuarine mangrove, etc., with a protected plant species, *Pavetta hongkongensis* (香港大沙葉) recorded in the woodland 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 11)
 - 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. The following land use zones are proposed to be designated on the Plan.
 - 4.4.2. Village Type Development ("V") (2.96 ha or 8.24%)
 - (a) The planning intention of this zone is to reflect existing recognized villages, 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) This zone includes the two recognized villages in the Area, namely Ko Lau Wan and Tan Ka Wan (i.e. Tse Uk, Lau Uk, Lam Uk and Mo Uk).
 - (c) The "V" zones are 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 and burial grounds are excluded.

- (d) The latest information on the outstanding Small House applications and 10-year Small House demand forecast has been obtained from the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD). However, it should be noted that the figures of 10-year Small House demand forecast are estimated and provided by the IIR in response to DLO/TP, LandsD's enquiry without any supporting evidence. If there is substantial and unjustified increase between the updated 10-year demand forecast figure and the previous corresponding figure when preparing the DPA Plan, the latter would be adopted in the preparation of the OZP unless strong justifications are received by the respective IIR.
- (e) DLO/TP, LandsD has advised that the latest total Small House demand are 201 for Ko Lau Wan (comprising the outstanding Small House application of one and the 10-year Small House demand forecast of 200) and 319 for Tan Ka Wan (comprising the outstanding Small House application of one and the 10-year Small House demand forecast of 318). It is noted that there is a substantial increase in the 10-year Small House demand forecast for both villages (from 20 to 200 for Ko Lau Wan and 80 to 318 for Tan Ka Wan) as compared with the previous corresponding figures¹

¹ According to DLO/TP, LandsD, the previous 10-year Small House demand forecast (2007-2016) is 20 for Ko Lau Wan and 80 for Tan Ka Wan.

when preparing the DPA Plan in 2011. The updated figures are provided without justifications and not verified. As the substantial increase in Small House demand forecast is not supported by evidence and not verified, the "V" zone boundaries are prepared based on the previous 10-year forecast. The total Small House demand would be 21 for Ko Lau Wan (i.e. current outstanding (1) plus previous 10-year forecast (20) in 2007). For Tan Ka Wan, while no information on the latest 10-year Small House demand forecast as at 2014 has been provided by the relevant IIR, the total Small House demand would 81 for Tan Ka Wan (i.e. current outstanding (1) plus previous 10-year forecast (80) in 2007). Based on PlanD's preliminary estimate, land required for meeting the Small House demand of 21 (for Ko Lau Wan) and 81 (for Tan Ka Wan) is about 0.53 ha and 2.03 ha respectively (Table 1).

(f) 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 Ko Lau Wan is mainly concentrated at the coastal areas along the toe of the hillslopes in the northern part of the area. Land within the 'VE' comprises not only existing village clusters and ruin structures of Ko Lau Wan in the west, but also the beach in the north and some hilly slopes in the east and south. As for Tan Ka Wan, the existing village cluster is mainly concentrated at the coastal areas along the toe of the hillslopes in the southern part of the area. Land within the 'VE'

comprises not only existing village clusters and ruin structures of Tan Ka Wan in the west, but also some hilly slopes in the north, east and south interspersed with some fallow agricultural land, and a natural stream with estuarine mangrove in the middle. Throughout the plan-making process, concerned departments have been closely liaised to ensure their input and comments are duly taken into account in the delineation of the "V" zone for the existing village cluster and potential areas for village expansion.

(g) According to the 2011 Census, the population in the Area is about 150 persons. Given the natural environment with 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, coastline and estuarine mangrove are hence suggested to be protected. Thus, a total of about 2.96 ha (comprising 1.66 ha in Ko Lau Wan and 1.30 ha in Tan Ka Wan) of land mainly covering the existing village clusters with their surrounding areas have been reserved for Small House development. Within the proposed "V" zones, about 1.44 ha of land (comprising 0.30 ha of land in Ko Lau Wan and 1.14 ha of land in Tan Ka Wan) are available (Table 1). Although there is insufficient land to meet the overall outstanding and 10-year Small House demand (an overall deficit of 1.12 ha of land (45 Small House sites)

comprising a deficit of about 0.23 ha of land (9 Small House sites) for Ko Lau Wan and a deficit of about 0.89 ha of land (36 Small House sites) for Tan Ka Wan), these figures have not been verified. In particular, opportunity may be taken to make use of the surplus area in Tan Ka Wan to accommodate the potential cross-village applications where there is a shortage of available land for Small House developments. Besides, the villagers may apply for Small House development in other zones which would be considered by the Board on its individual merits.

(h) 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.

- (i) The "V" zones in Area are overlooked by steep natural hillsides and may be affected by potential natural terrain landslide hazards. For future development in this area, the developer(s) may be required to carry out natural terrain hazard study and provide suitable hazard mitigation measures, if found necessary, as part of the development. 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.
- (j) Except for those specified, no new development, or addition alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23 m) or the height of the building which was in existence on the date of first publication in the Gazette of the notice of the draft DPA plan, whichever is the greater.
- (k) 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.
- (l) There is neither existing nor proposed public sewer

in the Area. For Small House development, the design and construction of such systems need to comply with relevant standards and regulations, such as Environmental Protection Department's Practice Note for Professional Person (ProPECC PN) 5/93, for the protection of the water quality of the Area.

- 4.4.3. Government, Institution or Community ("G/IC") (0.23 ha or 0.64%)
 - (a) The planning intention of this zone is primarily for the provision of GIC facilities serving the needs of the local residents and a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.
 - (b) The zone covers Ling Oi Tan Ka Wan Centre (a drug rehabilitation centre managed by Evangelical Lutheran Church of Hong Kong) situated at the knoll in the south-western part of the Area, CLP Ko Lo Wan Standby Generator Room and three latrines.
 - (c) To preserve the rural and low-rise character of the Area as well as provide spatial and visual relief, development/redevelopment within this zone should be restricted to a maximum building height as stipulated on the Plan 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 greater.

- 4.4.4. Other Specified Uses ("OU") (0.05 ha or 0.14%)
 - (a) This zone is intended for specific development(s) and/or uses, which is/are specified in the annotation of the zone. There is only one "OU" zone on the Plan, which is annotated 'Pier' and covers the major existing public transport development in the Area, namely Ko Lau Wan Public Pier.
 - (b) Development/redevelopment within this zone should be restricted to a maximum building height as stipulated on the Plan 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 greater.
- 4.4.5. Green Belt ("GB") (28.85 ha or 80.34%)
 - (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, natural streams and woodland adjoining the "V" zone. The "GB" zone mainly comprise relatively disturbed, young woodland and shrubby grassland developed from abandoned agricultural land, which provide a buffer between the development and conservation areas or Country Park area.
 - (c) There are two traditional burial grounds at the

southeastern part of Ko Lau Wan and the southwestern part of Tan Ka Wan respectively, which are within the "GB" zone. They have been in existence for many years, and are considered as existing use intended for the burial of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities within this zone are generally tolerated.

- (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.
- 4.4.6. Coastal Protection Area ("CPA") (3.82 ha or 10.64%)
 - (a) This zone is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion. There is a general presumption

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

- (b) This zone covers the coastal areas along Long Harbour and South Channel, which primarily consist of coastal vegetation, rocky and boulder coasts fringing the Area, and a sandy estuary with some mangroves at Tan Ka Wan.
- (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.
- (a) 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. The Area are provided with electricity and telephone services.

Potable water supply has been provided to the existing facilities and villagers of the Area. There are no committed/proposed sewerage and drainage projects planned for the Area. PLANNING DPEARTMENT MAY 2014

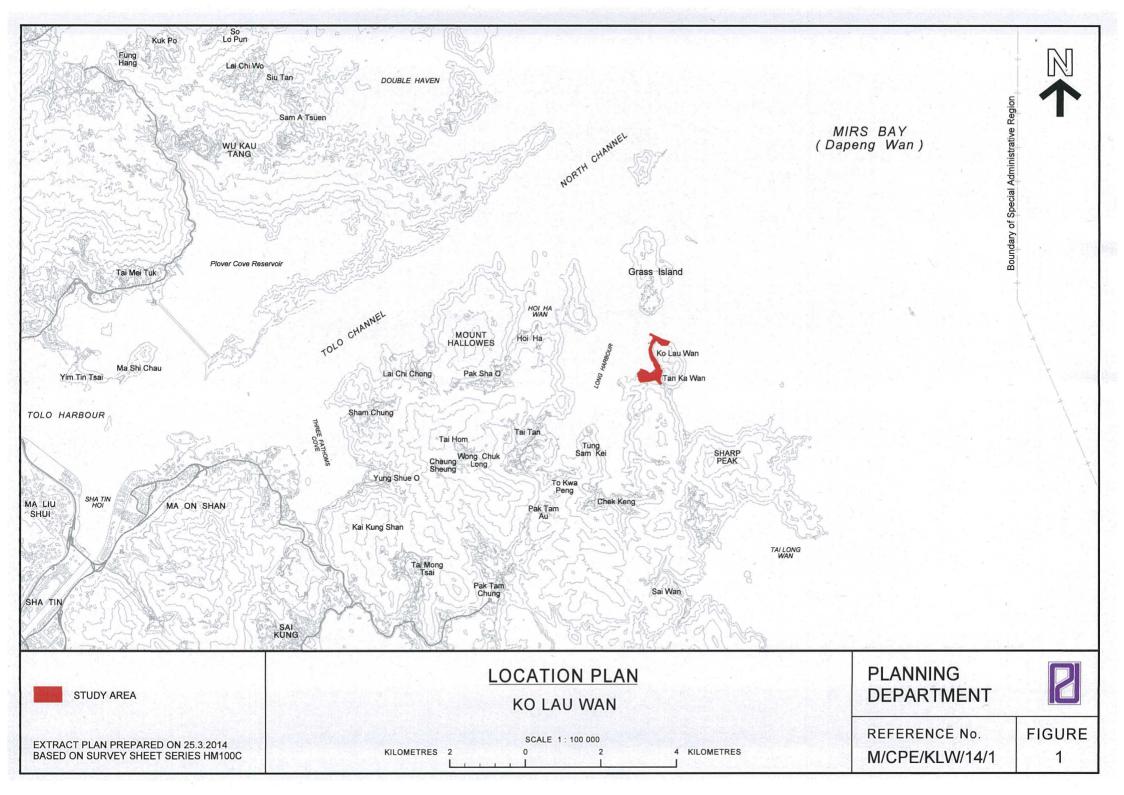
Statutory Development Control

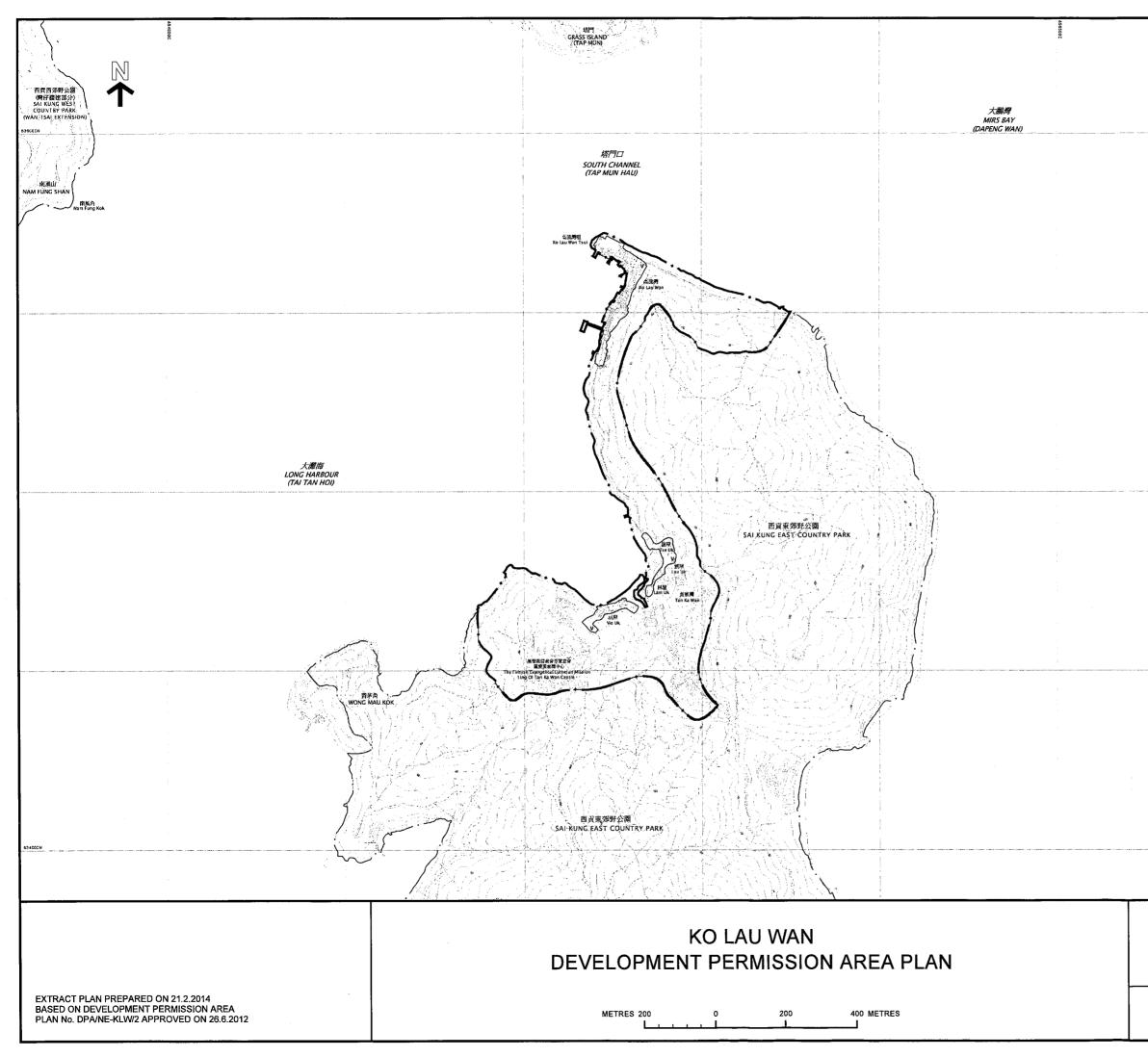
- 5.2. The OZP provides a broad land-use framework for development control and implementation of planning proposals for the Area. More detailed plans will be prepared as a basis for public works planning and private developments. The type of permitted developments and uses on land within the Area are listed in the Notes of the Plan. All uses directly related and ancillary to the permitted developments and uses are also permitted.
- 5.3. 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.
- 5.4. 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.
- 5.5. 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 7.1.2011 on land included in a plan of the Ko Lau Wan DPA, may be subject to enforcement proceedings under the Ordinance.

Small House Demand for the Ko Lau Wan Area

	Small House demand figure in 2007		Small House demand figure in 2014			"V" zone on draft	Required land to meet	Available land to meet	aemana mer
	Outstanding demand	10-year forecast (2007 – 2016)	Outstanding demand	10-year forecast (2014 – 2023)	`	OZP (ha)	new demand (ha)	new demand figure (ha)	by available land
Ko Lau Wan	Nil	20*	1*	200*	2.37 (2.36)	1.66	0.53	0.30	57%
Tan Ka Wan	Nil	80*	1*	318*	8.75 (8.54)	1.30	2.03	1.14	56%
Total	Nil	100	2	518	11.12 (10.90)	2.96	2.56	1.44	56%

* When considering the land use zoning for the "V" zone, it is noted that no justification has been provided by the IIRs for the substantial increase in the latest 10-year forecast. In such circumstances, the updated outstanding demand in 2014, i.e. one for both Ko Lau Wan and Tan Ka Wan, and the previous10-year forecast provided in 2007, i.e. 20 for Ko Lau Wan and 80 for Tan Ka Wan, are adopted as the total Small House demand figures in preparation of the draft OZP.

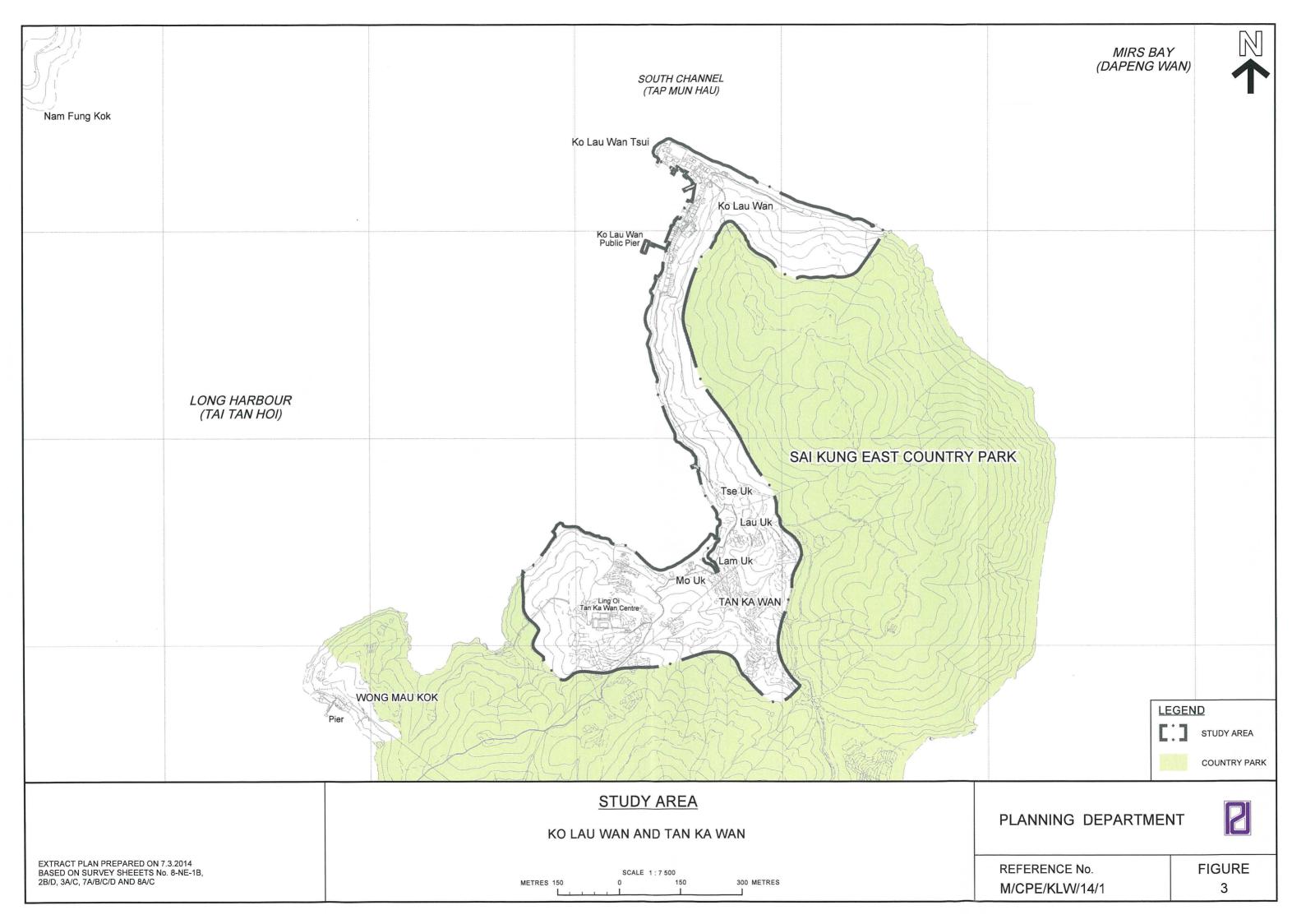




		圖例 NOTATI			
	ZONES			地帶	
	VILLAGE TYPE DEVELOPMENT	[v	地带	
535C00N			v	אנגן צפי איי נידיאגי	
DISCUUN					
	MISCELLANEOUS			其他	
	PERMISSION AREA BOUNDARY OF COUNTRY PARK /		·	發展審批地區界線 	
	SPECIAL AREA			特別地區界線	
	土地用 SCHEDULE]途及面 OF USI	ī積一覧 ES ANI	t表) AREAS	
	USES	大約面積 APPROXIMA	及百分零 TEAREA & %		
	0555	公頃 HECTARES	% 百分本	н ж	
	VILLAGE TYPE DEVELOPMENT	2.61	7.27	鄉村式發展	
	UNSPECIFIED USE	33.29	92.73	非指定用途	
	TOTAL AREA OF DEVELOPMENT PERMISSION AREA	35.90	100.00	發展審批地區總面積	
83400DN	夾附的《註 THE ATTACHED NOT				
PL	PLANNING DEPARTMENT				
RE	FERENCE No.			FIGURE	

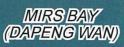
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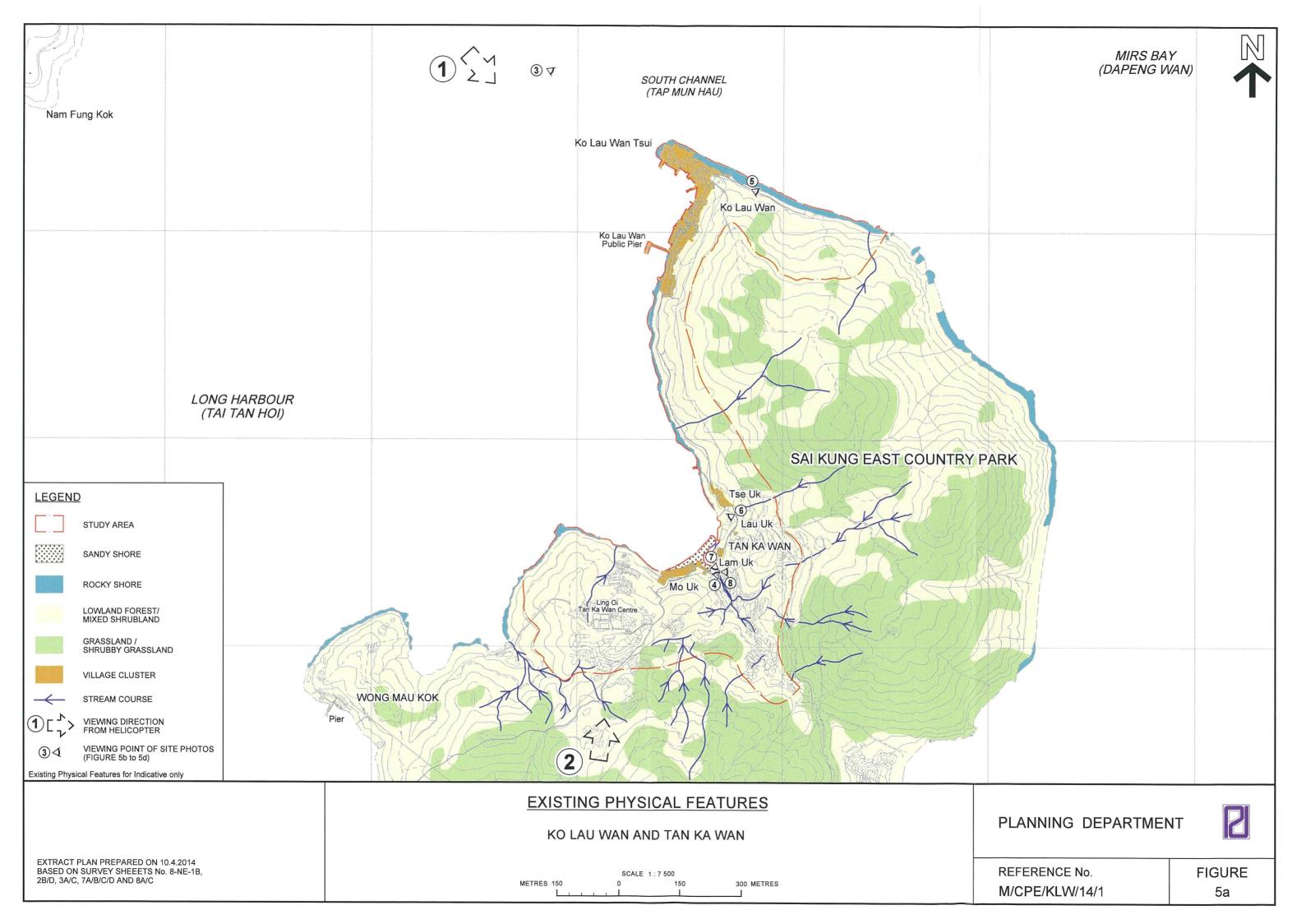


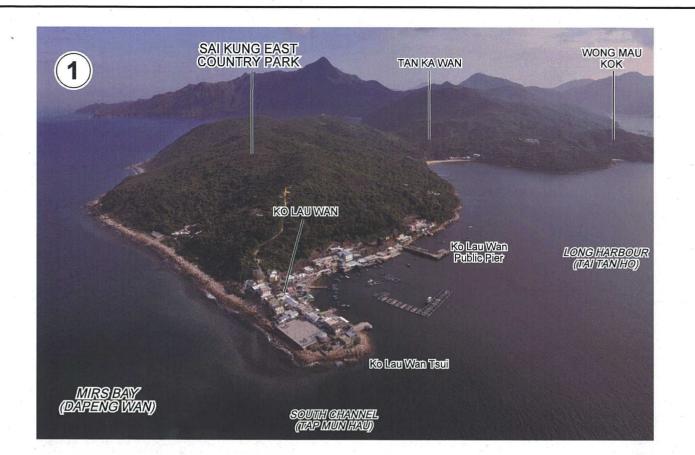


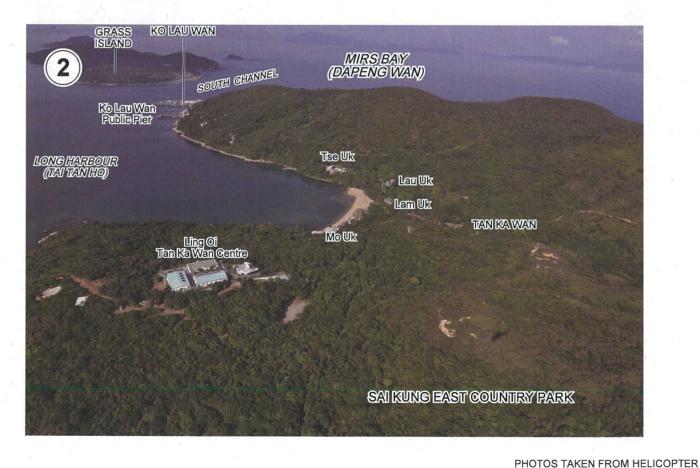
EXTRACT PLAN PREPARED ON 7.3.2014 BASED ON AERIAL PHOTOS No. CW98385-89, CW98500-04 AND CW98718-22 TAKEN ON 1.1.2013 BY LAND DEPARTMENT





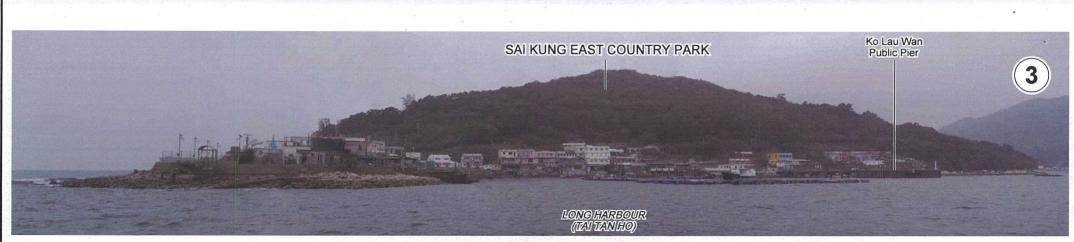






 SITE PHOTOS -
EXISTING PHYSICAL FEATURES
 PLANNING
DEPARTMENT
 PLANNING
DEPARTMENT

 PLAN PREPARED ON 25.3.2014
BASED ON SITE PHOTOS
TAKEN ON 18.2.2013
 KO LAU WAN
AND TAN KA WAN
 REFERENCE No.
 FIGURE
M/CPE/KLW/14/1

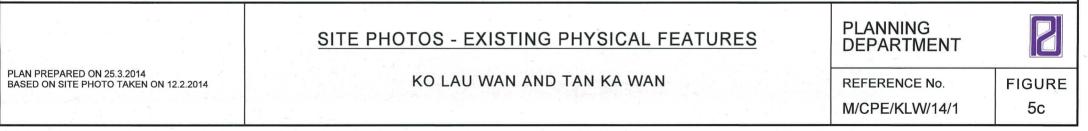


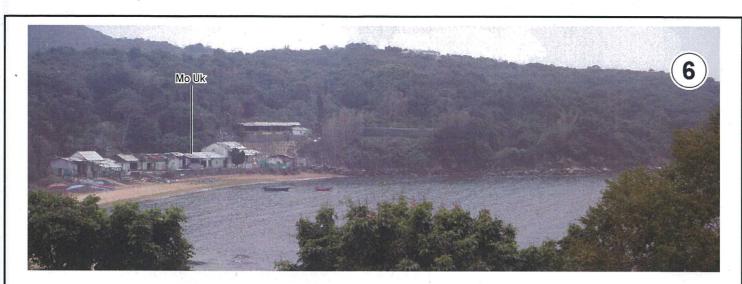
COASTAL AREAS - KO LAU WAN



NATURAL STREAM AND ESTUARINE MANGROVE - TAN KA WAN

ROCKY BEACH - KO LAU WAN







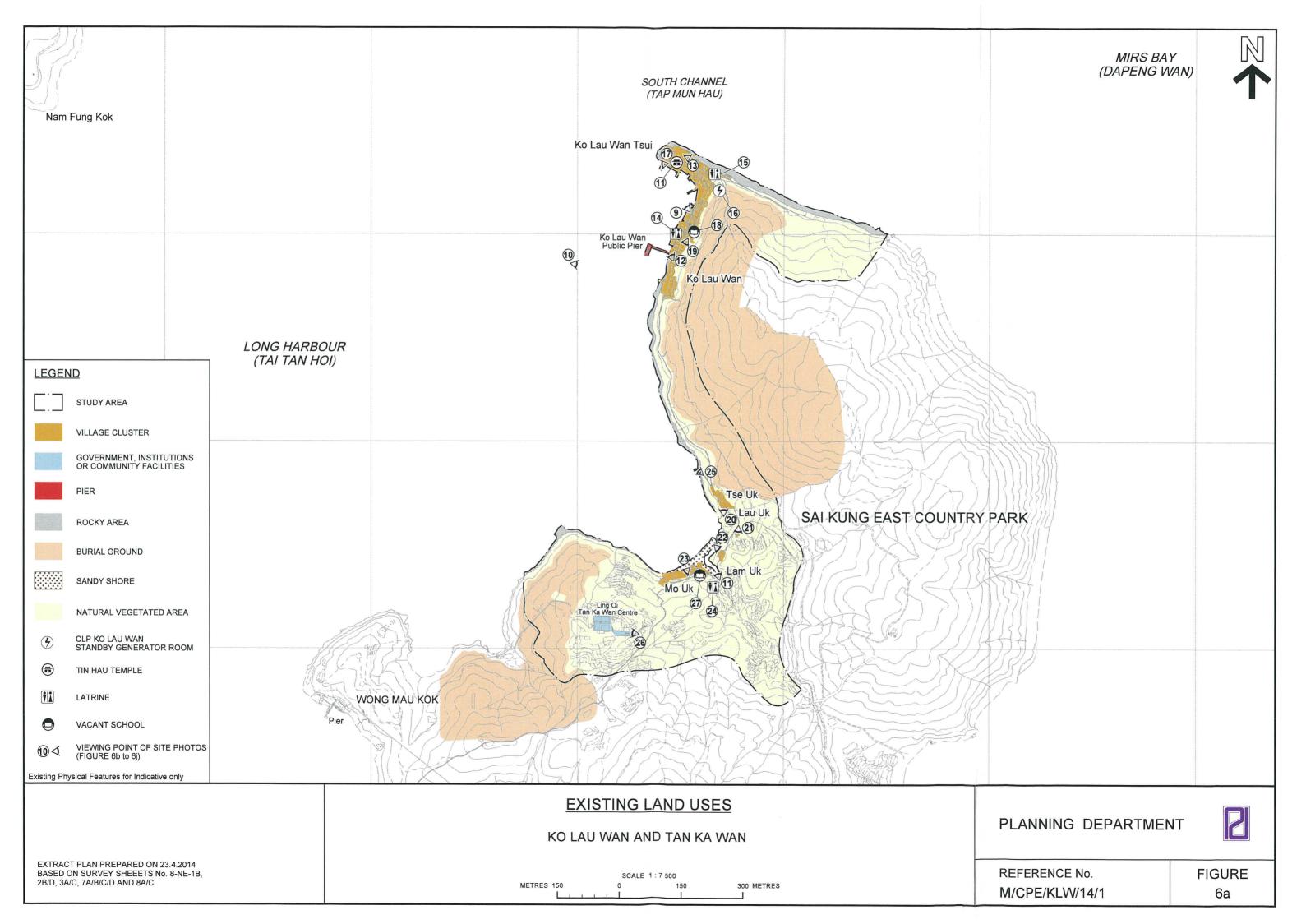
COASTAL AREAS - TAN KA WAN

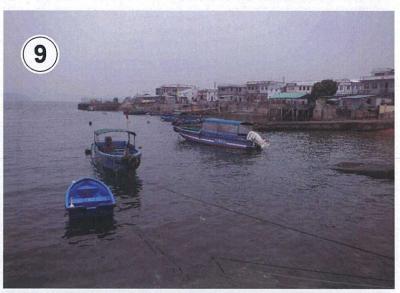


WOODLAND AND FALLOW AGRICULTURAL LAND - TAN KA WAN

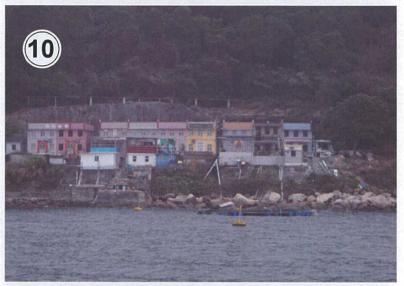
 SITE PHOTOS -
EXISTING PHYSICAL FEATURES
 PLANNING
DEPARTMENT
 PLANNING
DEPARTMENT

 PLAN PREPARED ON 25.3.2014
 TAN KA WAN
 REFERENCE No.
 FIGURE
M/CPE/KLW/14/1





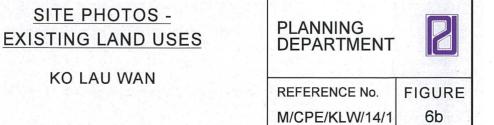
VILLAGE HOUSES - KO LAU WAN



VILLAGE HOUSES - KO LAU WAN



TIN HAU TEMPLE - KO LAU WAN



PLAN PREPARED ON 27.3.2014 BASED ON SITE PHOTOS TAKEN ON 12.2.2014

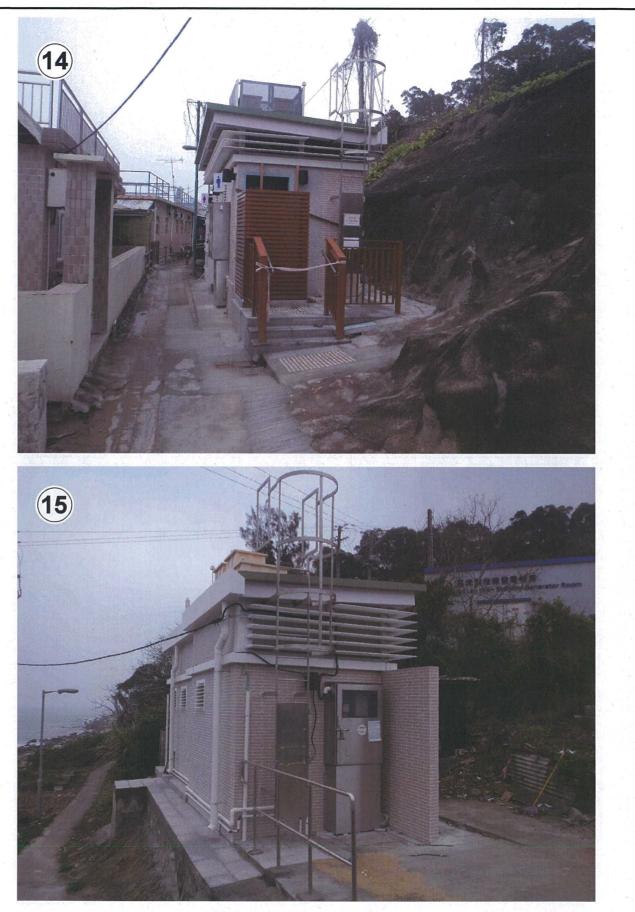


KO LAU WAN PUBLIC PIER



SITTING-OUT AREA - KO LAU WAN

	SITE PHOTOS - EXISTING LAND USES	PLANNING DEPARTMENT	B
PLAN PREPARED ON 27.3.2014	KO LAU WAN	REFERENCE No.	FIGURE
BASED ON SITE PHOTO TAKEN ON 12.2.2014		M/CPE/KLW/14/1	6c



TWO LATRINES - KO LAU WAN

SITE PHOTOS -EXISTING LAND USES

KO LAU WAN



PLAN PREPARED ON 28.3.2014 BASED ON SITE PHOTOS TAKEN ON 12.2.2014

REFERENCE No. M/CPE/KLW/14/1

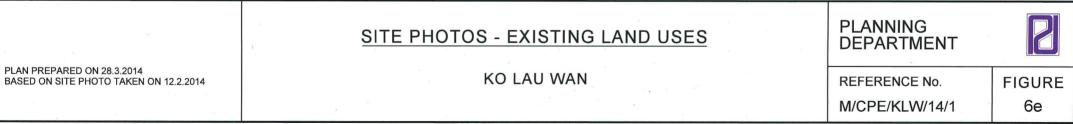




CLP KO LAU WAN STANDBY GENERATOR ROOM



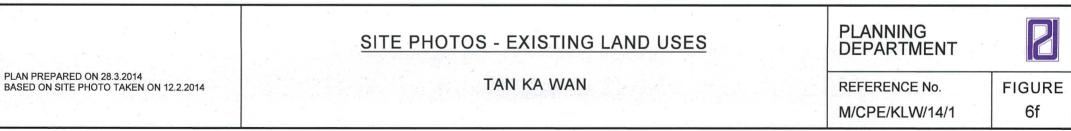
MARINE FUELING STATION - KO LAU WAN







EX-KO LAU WAN FISHERMEN'S SCHOOL





VILLAGE HOUSES AT TSE UK - TAN KA WAN



VILLAGE HOUSES AT LAU UK - TAN KA WAN

SITE PHOTOS -

PLAN PREPARED ON 31.3.2014 BASED ON SITE PHOTOS TAKEN ON 12.2.2014

EXISTING LAND USES

TAN KA WAN

2 PLANNING DEPARTMENT REFERENCE No. FIGURE M/CPE/KLW/14/1

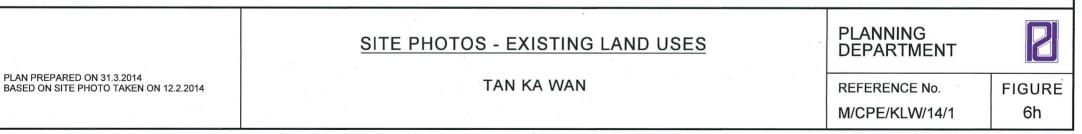




VILLAGE HOUSES AT LAM UK - TAN KA WAN



VILLAGE HOUSES AT MO UK - TAN KA WAN





LATRINE AT LAM UK - TAN KA WAN



PIER NEAR TSE UK - TAN KA WAN

<u>SITE PHOTOS -</u> EXISTING LAND USES

TAN KA WAN



6i

PLAN PREPARED ON 31.3.2014 BASED ON SITE PHOTOS TAKEN ON 12.2.2014

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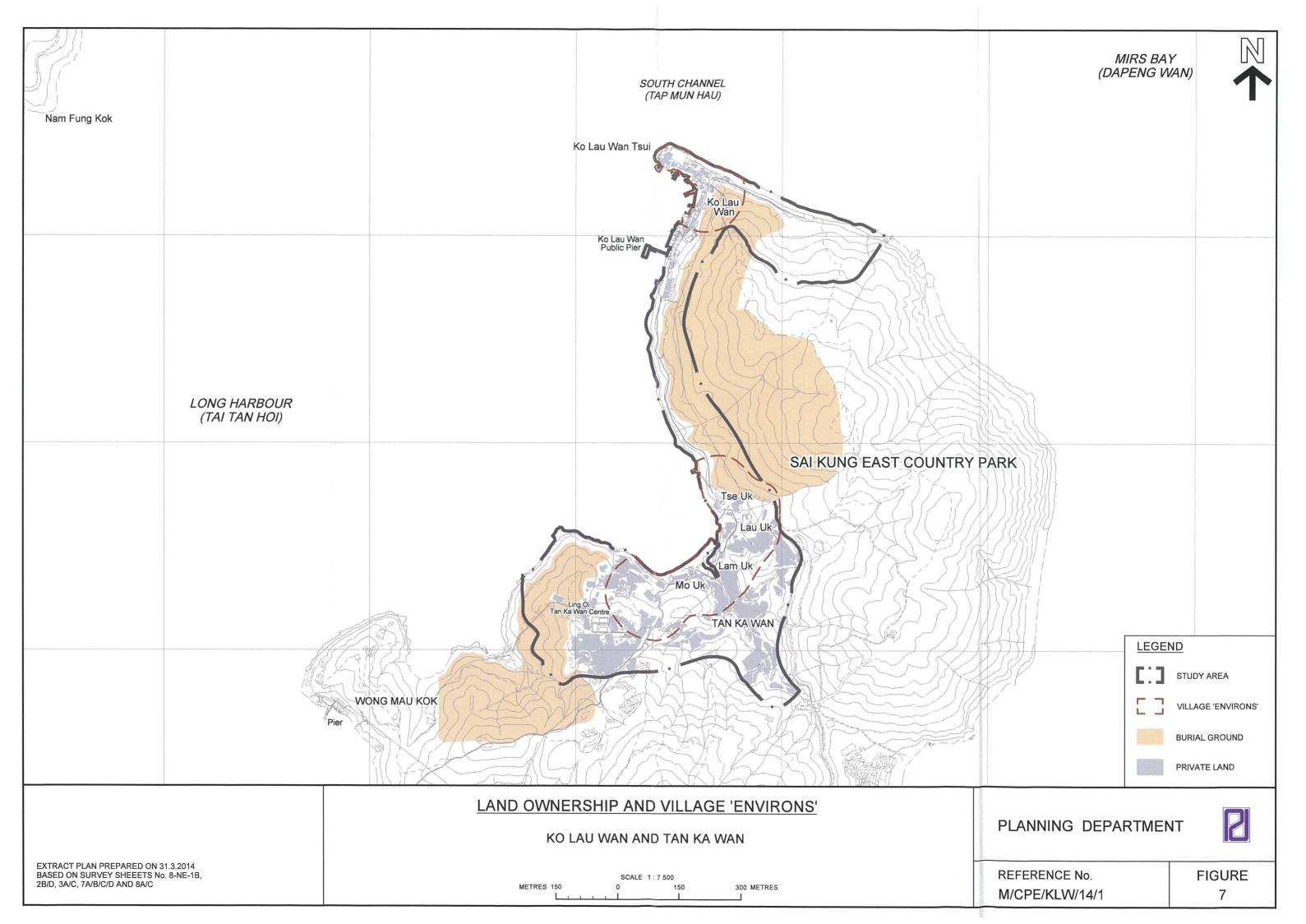


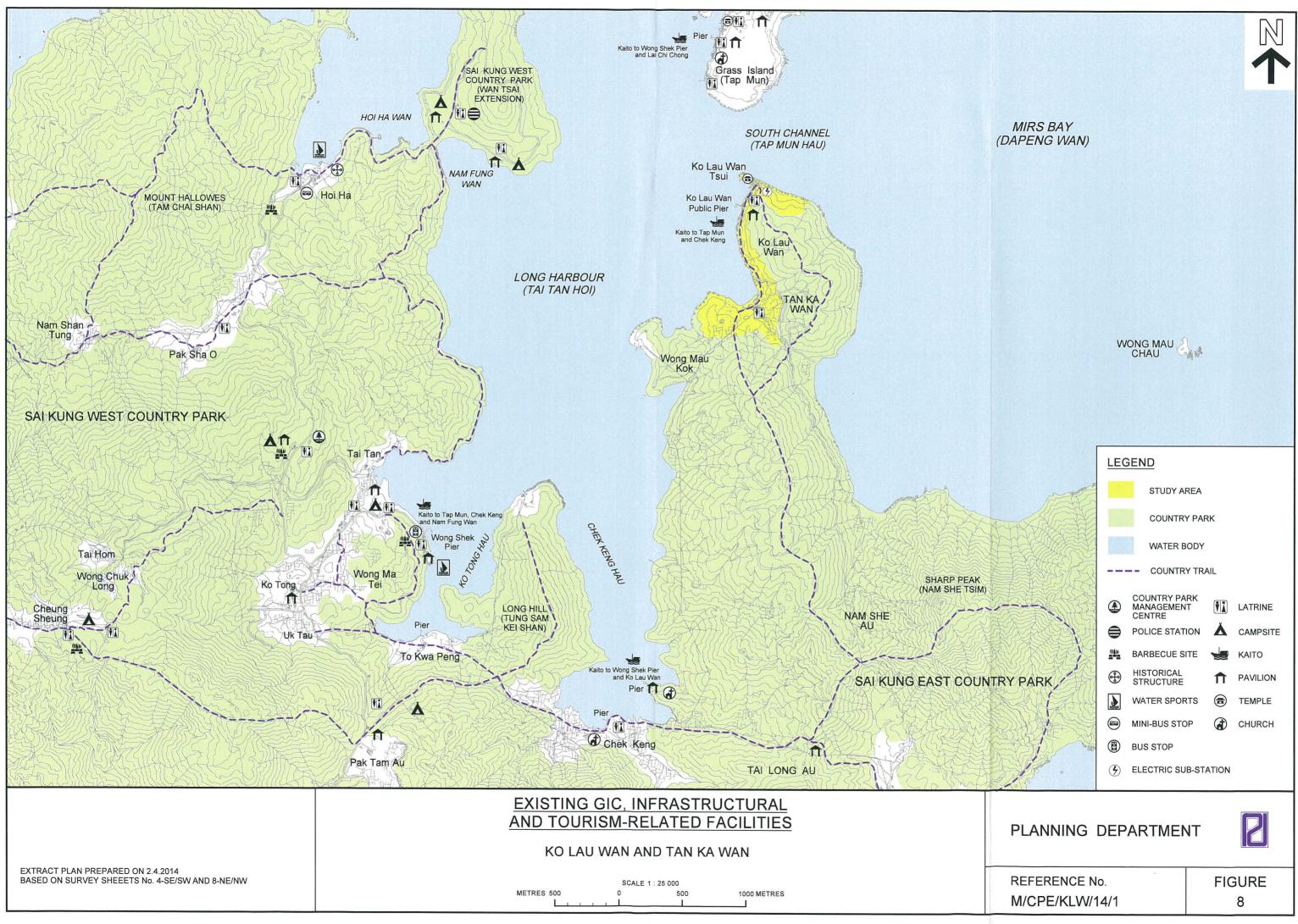
LING OI TAN KA WAN CENTRE



VACANT VILLAGE SCHOOL AT MO UK - TAN KA WAN

	SITE PHOTOS - EXISTING LAND USES	PLANNING DEPARTMENT	2
PLAN PREPARED ON 31.3.2014	TAN KA WAN	REFERENCE No.	FIGURE
BASED ON SITE PHOTO TAKEN ON 12.2.2014		M/CPE/KLW/14/1	6i







REFERENCE No.	FIGURE
M/CPE/KLW/14/1	8

