Attachment Vc of
TPB Paper No. 11084

DRAFT ~~APPROVED~~ HA TSUEN FRINGE OUTLINE ZONING PLAN NO. S/YL-HTF/12*A*

EXPLANATORY STATEMENT

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EXPLANATORY STATEMENT

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DRAFT*~~APPROVED~~ HA TSUEN FRINGE OUTLINE ZONING PLAN NO. S/YL-HTF/12*A

(Being ***a Draft*** ~~an Approved~~ 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*** ~~approved~~ Ha Tsuen Fringe Outline Zoning Plan (OZP) No. S/YL-HTF/12***A***. It reflects the planning intention and objectives of the Town Planning Board (the Board) for various land-use zonings of the Plan.

2. AUTHORITY FOR THE PLAN AND PROCEDURE

2.1 The land covered by the Ha Tsuen Fringe OZP was previously included in the Ha Tsuen Interim Development Permission Area (IDPA) Plan, Ha Tsuen Development Permission Area (DPA) Plan and Ping Shan DPA Plan.

2.2 On 17 August 1990, the Ha Tsuen IDPA Plan No. IDPA/YL-HT/1 prepared by the Director of Planning was notified in the Gazette.

2.3 On 12 July 1991, the draft Ha Tsuen DPA Plan No. DPA/YL-HT/1 including land previously within the IDPA Plan was exhibited for public inspection under section 5 of the Ordinance.

2.4 On 22 February 1994, the then Governor in Council, under section 9(1)(a) of the Ordinance, approved the draft Ha Tsuen DPA Plan which was renumbered as DPA/YL-HT/2. On 4 March 1994, the approved DPA Plan was exhibited for public inspection under section 9(5) of the Ordinance.

2.5 On 17 May 1993, under the power delegated by the then Governor, the then Secretary for Planning, Environment and Lands directed the Board, under section 3(1)(a) of the Ordinance, to prepare an OZP for the Ha Tsuen area.

2.6 On 10 June 1994, the draft Ha Tsuen OZP No. S/YL-HT/1 was exhibited for public inspection under section 5 of the Ordnance.

2.7 On 13 April 1999, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Ha Tsuen OZP, which was subsequently renumbered as S/YL-HT/2.

2.8 On 22 June 1999, the CE in C referred the approved Ha Tsuen OZP No. S/YL-HT/2 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was subsequently amended and exhibited for public inspection under section 5 of the Ordinance.

2.9 On 28 March 2000, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Ha Tsuen OZP which was subsequently renumbered as S/YL-HT/4.

2.10 On 29 June 2004, the CE in C referred the approved Ha Tsuen OZP No. S/YL-HT/4 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. On 10 December 2004, the draft Ha Tsuen OZP No. S/YL-HT/5 was exhibited for public inspection under section 5 of the Ordinance. On 1 April 2005, the draft Ha Tsuen OZP No. S/YL-HT/6, was exhibited for public inspection under section 7 of the Ordinance. On 9 December 2005, the draft Ha Tsuen OZP No. S/YL-HT/7 was exhibited for public inspection under section 7 of the Ordinance.

2.11 On 31 October 2006, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Ha Tsuen OZP, which was subsequently renumbered as S/YL-HT/8.

2.12 On 2 October 2007, the CE in C referred the approved Ha Tsuen OZP No. S/YL-HT/8 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was subsequently amended and exhibited for public inspection under section 5 of the Ordinance.

2.13 On 13 January 2009, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Ha Tsuen OZP, which was subsequently renumbered as S/YL-HT/10. On 23 January 2009, the approved Ha Tsuen OZP No. S/YL-HT/10 was exhibited for public inspection under section 9(5) of the Ordinance.

2.14 On 6 December 2016, the CE in C referred the approved Ha Tsuen OZP No. S/YL-HT/10 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. ***The OZP was then amended and exhibited for public inspection under section 5 of the Ordinance on 26 May 2017.*** ~~The reference back of the OZP was notified in the Gazette on 16 December 2016 under section 12(2) of the Ordinance.~~

~~2.15 On 26 May 2017, the draft Ha Tsuen Fringe OZP No. S/YL-HTF/11 was exhibited for public inspection under section 5 of the Ordinance. The major amendments on the Plan included the excision of the central and eastern parts from the planning scheme area for incorporation into the draft Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/1 to reflect the boundary of the Hung Shui Kiu New Development Area (NDA), the incorporation of the western-most part from the approved Ping Shan OZP No. S/YL-PS/16 into the planning scheme area and rezoning of a site to the north of Fung Kong Tsuen from "Comprehensive Development Area" to "Residential (Group D)" zone. Moreover, the Ha Tsuen OZP was renamed as Ha Tsuen Fringe OZP. During the two-month exhibition period, a total of 3 valid representations were received. On 25 August 2017, the representations were published for three weeks for public comments and a total of 1 valid comment on the representations (comment) was received. On 17 April 2018, the Chief Executive, under section 8(2) of the Ordinance, agreed to extend the statutory time~~

~~limit for the Board to submit the draft OZP to the CE in C for approval for a period of six months. After giving considerations to the representations and comment, the Board on 25 May 2018 decided not to propose any amendment to the draft OZP to meet the representations.~~

2.~~16~~***15*** On 16 October 2018, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Ha Tsuen Fringe OZP, which was subsequently renumbered as S/YL-HTF/12. On 26 October 2018, the approved Ha Tsuen Fringe OZP No. S/YL-HTF/12 ~~(the Plan)~~ was exhibited for public inspection under section 9(5) of the Ordinance.

2.16 On 16 November 2026, the Secretary for Development referred the approved Ha Tsuen Fringe OZP No. S/YL-HTF/12 to the Board for amendment under section 12(1A)(a)(ii) of the Ordinance. The reference back of the OZP was notified in the Gazette on 27 November 2026 under section 12(2) of the Ordinance.

2.17 On 11 December 2026, the draft Ha Tsuen Fringe OZP No. S/YL-HTF/13 (the Plan) was exhibited for public inspection under section 5 of the Ordinance. The major amendments include excising the northern and northwestern parts of the Planning Scheme Area (the Area) for incorporation into the draft Lau Fau Shan OZP No. S/LFS/1 to reflect the boundary of the Lau Fau Shan New Development Area (LFS NDA) and rezoning some areas from "Agriculture" to "Green Belt" to reflect the existing site conditions.

3. OBJECT OF THE PLAN

3.1 The object of the Plan is to indicate the broad land-use zonings and transport networks for the Ha Tsuen Fringe area so that development and redevelopment within the area can be put under statutory planning control. It also provides the planning framework for preparing more detailed non-statutory plans which form the basis for public works planning and site reservation for various uses.

3.2 The Plan is to illustrate the broad principles of development and control only. It is a small-scale plan and the transport alignments and boundaries between the land-use zones may be subject to minor alterations as detailed planning proceeds.

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

4. NOTES OF THE PLAN

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

4.2 For the guidance of the general public, a set of definitions that explains some of the terms used in the Notes may be obtained from the Technical Services Division of the Planning Department and can be downloaded from the Board's website at ~~http://www.info.gov.hk/tpb~~ ***http://www.tpb.gov.hk***.

5. THE PLANNING SCHEME AREA

5.1 The Area is about ~~341.15~~ ***208.21*** ha. The Area is situated in the western part of the North West New Territories (NWNT). It is bounded by Hung Shui Kiu***/Ha Tsuen*** NDA ***(HSK/HT NDA)*** and Kong Sham Western Highway in the east, ~~Lau Fau Shan~~ ***LFS NDA*** ~~and the coast of Deep Bay~~ in the north and ***northwest*** ~~north-west~~, Tsing Shan Firing Range in the west and Yuen Tau Shan in the south and ***southwest*** ~~south-west~~. The boundary of the Area is shown by a heavy broken line on the Plan.

5.2 The boundary of the Area is delineated having regard to physical and topographical features such as roads, drainage channels and hills.

5.3 The Area ***is mainly undeveloped comprising*** ~~comprises~~ ranges of ***vegetated*** knolls, ~~coastal flat land,~~ farmland and fish ponds. ~~Open storage sites, temporary structures for workshops, domestic uses and agricultural and related purposes are~~ ***The major developed areas are mainly*** located on ***the southwestern side of Kong Sham Western Highway near the HSK/HT NDA including the San Wai Sewage Treatment Works, temporary structures for warehouses and agricultural and related uses*** ~~both sides of Deep Bay Road~~.

~~5.4 Since mid-1980s, there has been a widespread conversion of agricultural land for open storage uses in the New Territories. Such conversion of agricultural land to open storage yards, car dumps/vehicle repairing workshops, container yards and storage of construction machinery and materials has occurred along Deep Bay Road within the Area. This has led to a rapid degradation of the rural environment, undesirable reduction in flood storage capacity, traffic chaos and visual intrusion.~~

~~5.5 Several buildings/structures/archaeological sites which are of historical or archaeological significance and architectural or archaeological merits are located within the Area. They include the Ling To Monastery (Grade 3), Sha Kong Miu (South) Archaeological Site, Sha Kong Miu (North) Archaeological Site, Ngau Hom Shek Archaeological Site, Ngau Hom Sha Archaeological Site, Fu Tei Au Archaeological Site and Hang Hau Tsuen Archaeological Site.~~

6. POPULATION

~~Based on the 2016 Population by-census, the population of the Area was estimated by the Planning Department as about 600. It is estimated that the total planned population of the Area would be about 240.~~ ***There is currently no population in the Area as there is no existing nor planned residential development in the Area.***

7. OPPORTUNITIES AND CONSTRAINTS

7.1 Opportunities

~~7.1.1 As per the "Study on the Enhancement of the Lau Fau Shan Rural Township and Surrounding Areas" (the LFS Study) completed in mid-2011, a strip of coastline stretching from the Kong Sham Western Highway towards Lau Fau Shan township is proposed to be enhanced for tourism and related purposes as the coastline is renowned for its breathtaking view of sunset.~~

7.1.~~2~~***1*** ~~According to the Agriculture, Fisheries and Conservation Department (AFCD), good quality agricultural land are mainly located near Sha Kong Tsuen, Ngau Hom Shek and Ngau Hom Sha along Deep Bay Road, some of which are under cultivation.~~ The agricultural land and ponds to the south of San Wai Sewage Treatment ~~Plant~~ ***Works*** are under cultivation and fish farming. As such, there are ample opportunities for agricultural development in the Area.

7.1.~~3~~***2*** In view of the local rural ***and natural*** setting and the close proximity to the ~~Lau Fau Shan~~ ***LFS NDA*** ~~Township~~, recreation uses that are in harmony with the scenic environment of the Area may be considered as a suitable alternative ***land use*** ~~land-use which could serve the growth in demand of NWNT due to urbanization~~.

7.2 Development Constraints

7.2.1 The Area***, mainly undeveloped and covered by dense vegetation,*** is subject to constraints in terms of provision for key infrastructure facilities, notably sewerage and land drainage. Developments are mainly restricted to improve and upgrade the existing temporary structures within the rural area to permanent buildings to avoid adverse impacts on the existing environment.

7.2.2 At present, the main external road connection to the Area is via ***local tracks leading from Kong Sham Western Highway and Ha Tsuen Road*** ~~Deep Bay Road~~ which ***are*** ~~is a~~ ***sub-standard*** narrow single carriageway***s***, giving limited vehicular access ***within the Area*** ~~to the waterfront and other rural settlements~~***. The remaining areas can either be accessed via footpath or are inaccessible.*** Prior to the implementation of the land use proposals and road networks under the ~~Hung Shui Kiu~~ ***HSK/HT*** NDA, this poses constraints on future development in the Area. As such, large-scale development will not be encouraged in the Area.

7.2.3 The Area ~~is included in the study of Yuen Long and Kam Tin Sewerage Master Plan. At present, only part of the Area is served by public sewage network.~~ ***falls within the Deep Bay Catchment.*** ~~Hence~~ ***In cases where connection of any new development to public sewerage is not feasible***, stringent effluent treatment standards ***for the proper treatment and disposal of sewage*** will be required ~~in the interim period before connection can be made to public sewer~~.

7.2.4 The Area stretching from the north of Tsing Shan Firing Range to Kong Sham Western Highway comprises ranges of vegetated knolls and the permitted burial grounds which are not suitable for any development. There are ***two*** ~~six~~ ***Sites of*** ~~archaeological~~ ***Archaeological*** ~~sites~~ ***Interest (SAIs)*** within the Area. Prior consultation with the Antiquities and Monuments Office (AMO) ***of Development Bureau*** is required for any development affecting these sites of archaeological interest and their immediate environs.

8. GENERAL PLANNING INTENTION

8.1 The planning intention for the Area is to promote and conserve the rural character through control on urban sprawl, to retain the countryside features of the upland portion of the Area, and to conserve suitable localities for recreation and agricultural uses.

8.2 In the designation of various zones in the Area, considerations have been given to the natural environment, physical landform, existing settlements, land status, availability of infrastructure, local development pressure, Territorial Development Strategy Review~~,~~ ***and*** NWNT Development Strategy Review ~~and the LFS Study~~. Besides, buildings and places of historical and archaeological interests would be preserved in the Area as far as possible.

9. LAND-USE ZONINGS

~~9.1 Residential (Group D) ("R(D)"): Total Area : 17.35 ha~~

~~9.1.1 The planning intention of this zone is primarily to improve and upgrade the existing temporary structures within the rural area to permanent buildings. Replacement housing for temporary structures shall not result in a total redevelopment in excess of a maximum building area of 37.2m^2 and a maximum building height of 2 storeys (6m).~~

~~9.1.2 Apart from the intention of residential upgrading, very low-rise and low-density residential development may be permitted on application to the Board. To be in line with the development intensity of existing domestic accommodation within this zone, residential development shall not result in a total development in excess of a maximum plot ratio of 0.2 and a maximum building height of 2 storeys (6m). To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the plot ratio and building height restrictions may be~~

~~considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits. Generally, the applicant has to prove to the Board that the proposed development would have no or minimal adverse effects on the environment.~~

~~9.1.3 An area to the north-west of Fung Kong Tsuen is zoned "R(D)". The area is at present mainly occupied by temporary structures for workshop, domestic uses and agricultural purpose, village houses and some fallow agricultural land.~~

~~9.1.4 Since the areas along Deep Bay Road would be subject to noise impact, any proposed development near these roads should provide adequate mitigation measures to minimize such impact.~~

9.~~2~~*1* Government, Institution or Community ("G/IC"): Total Area : 1.56 ha

~~9.2.1~~ 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. ***There are two sites located at the northeastern part of the Area along Kong Sham Western Highway for Government reserve.***

~~9.2.2 The San Wai Sewage Treatment Plant to the south-west of Tseung Kong Wai is zoned "G/IC" to reflect the intended uses.~~

~~9.3 Agriculture ("AGR"): Total Area : 50.35 ha~~

~~9.3.1 This zone is intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.~~

~~9.3.2 The agricultural land in Ngau Hom Sha and Ngau Hom Shek under this zoning is categorized "good quality" in the Categorization of Agricultural Land by the AFCD and is under cultivation. Some of the land has been included in the Agricultural Land Rehabilitation Scheme.~~

~~9.3.3 As filling of land/pond may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities. However, filling of land specifically required under prior written instructions of Government department(s), or for the purposes of genuine agricultural practice including laying of soil not exceeding 1.2m in thickness for cultivation, and construction of agricultural structure with prior written approval from the Lands Department is exempted from the control.~~

9.4***2*** Green Belt ("GB"): Total Area : ~~116.34~~ ***83.43*** ha

9.4***2***.1 The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. This zone includes foothills, lower hill slopes, spurs, isolated knolls and woodland. However, limited development may be permitted with or without conditions on application to the Board, and each application will be considered on its individual merits taking into account the relevant Town Planning Board Guidelines.

9.4***2***.2 ~~Three~~ ***The*** areas ~~are~~ zoned "GB". ~~They~~ include the ranges of vegetated knolls and the permitted burial grounds to the ~~west and~~ south of Ngau Hom Sha ~~and Ngau Hom Shek,~~ and ~~the stretch of land~~ to the west of the Kong Sham Western Highway.

9.4***2***.3 As filling of land/pond and excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.

9.~~5~~***3*** Conservation Area ("CA"): Total Area : 123.22 ha

9.~~5~~***3***.1 This zoning is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes.

9.~~5~~***3***.2 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 project with overriding public interest may be permitted. Uses related to conservation purposes such as nature reserve and nature trail are permitted as of right. Only a selective range of uses such as public convenience and tent camping ground which would have insignificant impact on the environment and infrastructural provision may be permitted with or without conditions on application to the Board.

9.~~5~~***3***.3 The area stretching from the north of Tsing Shan Firing Range to Kong Sham Western Highway, which comprises hillslopes and vegetated knolls, is zoned "CA". The boundary of the zone mainly follows the hillslopes and the boundaries for the permitted burial grounds within the adjacent "GB" zone.

9.~~5~~***3***.4 Filling of land/pond and excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activities.

~~9.6 Coastal Protection Area ("CPA"): Total Area : 30.27 ha~~

~~9.6.1 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.~~

~~9.6.2 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.~~

~~9.6.3 The area along the Deep Bay coast stretching from Sha Kong Tsuen to Ngau Hom Sha is zoned "CPA".~~

~~9.6.4 Filling of land/pond and excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activities.~~

10. CULTURAL HERITAGE

~~The Ling To Monastery (Grade 3), Sha Kong Miu (South) Archaeological Site, Sha Kong Miu (North) Archaeological Site, Ngau Hom Shek Archaeological Site, Ngau Hom Sha Archaeological Site, Fu Tei Au Archaeological Site and Hang Hau Tsuen Archaeological Site fall within the Area. Details of these historical buildings have been uploaded onto the official website of the Antiquities Advisory Board at http://www.aab.gov.hk. The above graded historic building/structure and sites of archaeological interest are worthy of preservation. Prior consultation with the AMO of the Leisure and Cultural Services Department should be made if any development, redevelopment or rezoning proposals might affect the above graded historic building/structure, new items pending grading assessment, sites of archaeological interest and their/its immediate environs. If disturbance of the site of archaeological interest is unavoidable, a detailed Archaeological Impact Assessment for development works within the sites may be required by AMO.~~

10.1 Within the boundary of the Area, there are currently Fu Tei Au Site SAI and Ngau Hom Sha SAI and a historic building graded by the Antiquities Advisory Board (AAB), namely Ling To Monastery, Ha Tsuen (Grade 3).

10.2 The lists of declared monuments and proposed monuments, historic buildings and sites graded by AAB, new items for grading assessment, Government historic sites identified by the AMO and SAIs are published on AMO's website https://www.amo.gov.hk/en/historic-buildings/heritage-sites-lists/index.html. The lists will be updated from time to time.

10.3 Prior consultation with AMO should be made, for any works, development, redevelopment or rezoning proposals that may affect the declared monuments, proposed monuments, historic buildings and sites graded by AAB, new items for grading assessment, Government historic sites identified by AMO, SAIs or any

other buildings/structures identified with heritage value, both at grade and underground and the immediate environs of the aforementioned items.

11. TRANSPORT AND COMMUNICATION

11.1 Road and Railway Networks

11.1.1 ~~Branching off from Lau Fau Shan Roundabout is Deep Bay Road which is substandard but the main vehicular access to~~ ***Apart from the local tracks connecting to Kong Sham Western Highway and Ha Tsuen Road, there is no major vehicular access within*** the Area.

11.1.2 The Kong Sham Western Highway was opened to traffic in mid 2007. It is an additional cross-boundary linkage between Dongjiatou of Shenzhen and the NWNT of Hong Kong. The highway traverses across the Area along the eastern boundary to link up with the Yuen Long Highway at the Lam Tei Interchange.

11.1.3 Within the ~~Hung Shui Kiu~~ ***HSK/HT*** NDA ***and LFS NDA*** which ~~is~~ ***are*** located to the immediate ~~east~~ ***north and northeast*** of the Area, a hierarchy of primary and district distributors and local roads***, as well as a green transport corridor network*** ~~is~~ ***are*** planned to provide convenient connection between various developments and surrounding areas. ~~New roads are introduced to connect Deep Bay Road so as to improve the accessibility in Lau Fau Shan and its surrounding area.~~

11.2 Public Transport Provision

There is limited road-based public transport serving the Area. ~~The Area is served by road based public transport including minibuses and taxis linking to surrounding areas, including Tin Shui Wai New Town, Hung Shui Kiu NDA, Ping Shan and Yuen Long New Town~~.

12. UTILITY SERVICES

12.1 Water Supply

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

12.2 Sewerage and Sewage Treatment

At present, ~~only part of the area is served by public sewerage network~~ ***there is no public sewer serving the Area***. ~~Hence, stringent effluent treatment standards will be required in the interim period before connection can be made to public sewer. Therefore,~~ ~~development~~ ***Development*** proposals in the Area would need to

demonstrate that they have satisfactory arrangements for sewage disposal or sewage treatment facilities for the development.

12.3 Electricity

The Area has long been supplied with electricity. Additional electricity supply can be provided to cater for future development in the Area by expanding the existing electricity network.

12.4 Gas

Gas pipelines have already been laid in Tin Shui Wai. Therefore, piped gas supply could be made available to the Area when the need arises. ***Besides, a new gas offtake station is planned to be constructed to the east of the Area near Ping Ha Road to cater for the gas demand of new developments nearby.***

13. IMPLEMENTATION

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

13.2 At present, there is no overall programme for the provision of infrastructure within the Area, which will be retained as a rural setting.

13.3 The provision of infrastructure, e.g. road widening and laying of services, will be implemented through the Public Works Programme and the Rural Public Works as and when resources are available. Private developments will be effected principally through private sector initiatives to develop or redevelop their properties in accordance with the zoned uses indicated on the Plan, provided that their proposals meet Government requirements.

14. PLANNING CONTROL

14.1 The types of permitted developments and uses within the Area are listed in the Notes to the Plan. Unless otherwise specified, all building, engineering and other operations incidental to and ~~a~~ ***all*** uses directly related and ancillary to the permitted developments and uses within the same zone are always permitted and no separate permission is required.

14.2 Uses of land or building which were in existence immediately before the first publication in the Gazette of the Notice of the Ha Tsuen IDPA Plan/ draft Ping Shan DPA Plan and which are not in compliance with the terms of the Plan may have adverse impact on the environment, drainage and traffic of the area. Although no action is required to make such use conform to the Plan, any material change of such use or any other development (except minor alteration and/or modification to the development of the land or building in respect of such use which is always permitted) must be always permitted in terms of the Plan or, if permission is required, in accordance with a permission granted by the Board. The

Board will consider these applications on their individual merits. Those alteration and/or modification works which may lead to an environmental improvement or upgrading to the Area may be considered favourably by the Board.

14.3 Planning applications to the Board will be assessed on individual merits. In general, the Board, in considering the planning applications, will take into account all relevant planning considerations which may include the departmental outline development plans and layout plans*,* and the guidelines published by the Board. The outline development plans and the layout plans are available for public inspection at the Planning Department. Guidelines published by the Board are available from the Board's website, the Secretariat of the Board and the Technical Services Division of the Planning Department. Application forms and Guidance Notes for planning applications can be downloaded from the Board's website and are available from the Secretariat of the Board, and the Technical Services Division and relevant District Planning Office of the Planning Department. Applications should be supported by such materials as the Board thinks appropriate to enable it to consider the applications.

14.4 Any development, other than those referred to in paragraph 14.1 above or in conformity with this Plan or with the permission of the Board, undertaken or continued on or after 17 August 1990 on land included in a plan of the Ha Tsuen IDPA or on or after 18 June 1993 on land included in a plan of the Ping Shan DPA, may be subject to enforcement proceedings under the Ordinance. Any filling of land/pond and excavation of land in the relevant zones on or after the exhibition of the specific plan referred to in the Notes of the relevant zones without the permission from the Board may also be subject to enforcement proceedings.

TOWN PLANNING BOARD
~~OCTOBER 2018~~ ***DECEMBER 2026***