

# **TOWN PLANNING BOARD**

**TPB Paper No. 10756  
For Consideration by the  
Town Planning Board on 6.8.2021**

**Proposed Amendments to Master Schedule of Notes to Statutory Plans**

## **Proposed Amendments to Master Schedule of Notes to Statutory Plans**

### **1. Purpose**

This paper is to seek Members' agreement to the proposed amendments to the Master Schedule of Notes to Statutory Plans (MSN).

### **2. Background**

2.1 On 28.2.2003, the Town Planning Board (the Board) endorsed a set of MSN which has been subsequently refined many times and the last refinement was promulgated in January 2019. To streamline the planning application process, further amendments to the MSN are considered necessary.

#### *The Exemption Clause for "Diversion of Stream, Filling of Land/Pond and Excavation of Land"*

2.2 With a view to protecting rural areas from uncontrolled diversion of stream, filling or excavation activities, a clause stipulating that diversion of stream, filling of land/pond<sup>1</sup> and excavation of land requires planning permission is incorporated in the Remarks of the Notes of "Agriculture" ("AGR") zone<sup>2</sup> and various conservation-related zones<sup>3</sup> in the MSN. According to the Remarks in the MSN, for diversion of stream, filling of

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<sup>1</sup> The inclusion of planning control on diversion of stream and filling of pond would be added, where appropriate, depending on local circumstances, e.g. whether there are streams and ponds in the concerned area.

<sup>2</sup> The Remarks of "AGR" zone impose requirement on planning permission for diversion of stream and filling of land/pond only.

<sup>3</sup> Conservation-related zones include "Green Belt", "Coastal Protection Area", "Conservation Area", "Site of Special Scientific Interest", "Other Specified Uses" ("OU") annotated "Comprehensive Development to include Wetland Restoration Area", and "OU" annotated "Comprehensive Development and Wetland Enhancement Area" zones.

land/pond and excavation of land within the said zones, including that to effect a change of use to any of those specified in Columns 1 and 2 or the uses or developments always permitted under the Covering Notes, planning permission from the Board is required. There is a clause in the “AGR” and “Green Belt” (“GB”)<sup>4</sup> zones to exempt minor works from the requirement of planning permission, which includes (a) public works co-ordinated or implemented by Government, (b) maintenance and repair works, and (c) rebuilding works (hereinafter referred to as “the exemption clause”). The current MSN for “AGR” and “GB” zones are set out in **Annex 1** for reference.

- 2.3 Taking into account the local circumstances, similar exemption clause has already been imposed in the Remarks of some conservation zones in the Notes of OZPs<sup>5</sup> currently in force.

### 3. **Proposed Amendments to MSN**

- 3.1 Given the exemption clause is only applicable to minor works and no major adverse impacts had been observed, in order to streamline the planning application process, it is proposed to extend the exemption clause to other conservation zones, including “Coastal Protection Area” (“CPA”), “Conservation Area” (“CA”), “Site of Special Scientific Interest” (“SSSI”), “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” (“OU(CDWRA)”), and “OU” annotated “Comprehensive Development and Wetland Enhancement Area” (“OU(CDWEA)”), where appropriate. Depending on the local circumstances, rebuilding works may not be included in the exemption clause.
- 3.2 The proposed amendments to the MSN are marked in **bold** and *italic* and deletion in ‘~~cross-out~~’ at **Annex 2**.
- 3.3 For the avoidance of doubt, the exemption clause applies to the diversion of stream, land/pond filling and/or land excavation works. If a use

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<sup>4</sup> According to the Remarks of “GB” zone of the MSN, the exemption clause could be added where appropriate.

<sup>5</sup> Examples can be found in “CA” and “CPA” zones of the approved Tung Chung Valley OZP No. S/I-TCV/2, “CPA” zone of the approved Yi O OZP No. S/I-YO/2, and “CA” and “SSSI” zones of approved Tai Po OZP No. S/TP/28.

requires planning permission from the Board in terms of the Notes (i.e. a Column 2 use or a use specified in the Covering Notes), the use itself still requires planning permission notwithstanding that its associated diversion of stream, land/pond filling and/or land excavation works are exempted from planning permission in accordance with the exemption clause. Planning permission is also required for a permitted use/development in terms of the Notes (i.e. a Column 1 use or a use specified in the Covering Notes) if the use/development involves diversion of stream, filling of land/pond and excavation of land, and the works are not exempted in the Remarks of the Notes.

- 3.4 It should be noted that the exempted works still have to conform to any other relevant legislation, the conditions of the government lease concerned, and other government requirements, as may be applicable.

#### **4. Consultation**

Relevant government departments have been consulted on the proposal and no objection or adverse comments have been received. Departmental comments have been incorporated in the proposal, where appropriate. A list of the departments consulted is provided at **Annex 3**.

#### **5. Promulgation**

Upon Members' agreement to the proposal, the revised MSN will be uploaded to the Board's website, which shall take effect upon promulgation.

#### **6. Decision Sought**

- 5.1 Members are invited to consider and agree to the proposed amendments to the MSN in **Annex 2** and the proposed arrangement for promulgation.
- 5.2 Members are also invited to note that revision to the Notes of individual OZP to incorporate the amendments to the MSN as detailed in **Annex 2** will be made when opportunity arises.

**Annexes**

<b>Annex 1</b>	The Master Schedule of Notes for “AGR” and “GB” zones
<b>Annex 2</b>	Proposed Revised Master Schedule of Notes to Statutory Plans of Conservation Zones
<b>Annex 3</b>	List of Government Departments Consulted

**PLANNING DEPARTMENT  
AUGUST 2021**

**The Master Schedule of Notes for “AGR” and “GB” zones**

**AGRICULTURE**

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use	Animal Boarding Establishment
Government Use (Police Reporting Centre only)	Barbecue Spot
On-Farm Domestic Structure	Burial Ground*
Public Convenience	Field Study/Education/Visitor Centre
Religious Institution (Ancestral Hall only)	Government Refuse Collection Point
Rural Committee/Village Office	Government Use (not elsewhere specified)
	House (New Territories Exempted House only, other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes)
	Picnic Area
	Place of Recreation, Sports or Culture (Horse Riding School, Hobby Farm, Fishing Ground only)
	Public Utility Installation
	Religious Institution (not elsewhere specified)
	School
	Utility Installation for Private Project

\* Add where appropriate

**Planning Intention**

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

**Remarks**

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

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

\* Remarks in italics to be added where appropriate.

## **GREEN BELT**

<p style="text-align: center;">Column 1</p> <p style="text-align: center;">Uses always permitted</p>	<p style="text-align: center;">Column 2</p> <p style="text-align: center;">Uses that may be permitted with or without conditions on application to the Town Planning Board</p>
<p>Agricultural Use</p> <p>Barbecue Spot*</p> <p>Country Park**</p> <p>Government Use (Police Reporting Centre only)</p> <p>Nature Reserve</p> <p>Nature Trail</p> <p>On-Farm Domestic Structure</p> <p>Picnic Area</p> <p>Public Convenience</p> <p>Tent Camping Ground</p> <p>Wild Animals Protection Area</p>	<p>Animal Boarding Establishment</p> <p>Broadcasting, Television and/or Film Studio</p> <p>Burial Ground*</p> <p>Cable Car Route and Terminal Building*</p> <p>Columbarium (within a Religious Institution or extension of existing Columbarium only)</p> <p>Crematorium (within a Religious Institution or extension of existing Crematorium only)</p> <p>Field Study/Education/Visitor Centre</p> <p>Firing Range*</p> <p>Flat*</p> <p>Golf Course*</p> <p>Government Refuse Collection Point</p> <p>Government Use (not elsewhere specified)</p> <p>Helicopter Landing Pad*</p> <p>Holiday Camp</p> <p>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 +)</p> <p>Marina*</p> <p>Marine Fuelling Station*</p> <p>Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances*</p> <p>Petrol Filling Station</p> <p>Pier*</p> <p>Place of Recreation, Sports or Culture</p> <p>Public Transport Terminus or Station</p> <p>Public Utility Installation</p> <p>Public Vehicle Park (excluding container vehicle)</p> <p>Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation</p> <p>Religious Institution</p> <p>Residential Institution</p> <p>Rural Committee/Village Office*</p> <p>School</p>

## **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
	Service Reservoir Social Welfare Facility Utility Installation for Private Project Zoo*

\* *Add where appropriate*

\*\* *Also add where appropriate but, if added, country park should be marked with \* and the following remark should be added:*

\* *Country Park means a country park or special area as designated under the Country Parks Ordinance (Cap. 208). All uses and developments require consent from the Country and Marine Parks Authority and approval from the Town Planning Board is not required.*

+ *The remarks in brackets to be added in rural OZPs only*

### **Planning Intention**

***For urban area:*** *The planning intention of this zone is primarily for the conservation of the existing natural environment amid the built-up areas/at the urban fringe, to safeguard it from encroachment by urban type development, and to provide additional outlets for passive recreational activities. There is a general presumption against development within this zone.*

***For rural area/New Town:*** *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 stream*, \* 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 *interim/draft*\* development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

\* Remarks in italics to be added where appropriate



**Proposed Revised Master Schedule of Notes to Statutory Plans**

**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)	Field Study/Education/Visitor Centre
Barbecue Spot*	Government Use
Country Park**	Holiday Camp*
Nature Reserve	House (Redevelopment only)
Nature Trail	Pier*
On-Farm Domestic Structure	Public Convenience
Picnic Area*	Public Utility Installation
Wild Animals Protection Area	Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation
	Tent Camping Ground*
	Utility Installation for Private Project*

\* *Add where appropriate*

\*\* *Also add where appropriate but, if added, country park should be marked with \* and the following remark should be added:*

\* *Country Park means a country park or special area as designated under the Country Parks Ordinance (Cap. 208). All uses and developments require consent from the Country and Marine Parks Authority and approval from the Town Planning Board is not required.*

**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.*

**Remarks**

- (a) No redevelopment, including alteration and/or modification, of an existing house shall result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication in the Gazette of the notice of the *interim/draft\** development permission area plan.
- (b) Any *diversion of stream,\** 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 *interim/draft\** development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

\* *Remarks in italics to be added where appropriate*

## CONSERVATION AREA

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use (other than Plant Nursery)	Barbecue Spot*
Country Park**	Field Study /Education/Visitor Centre
Nature Reserve	Government Refuse Collection Point
Nature Trail	Government Use (not elsewhere specified)
On-Farm Domestic Structure	Holiday Camp*
Picnic Area*	House (Redevelopment only)
Wild Animals Protection Area	Pier*
	Public Convenience
	Public Utility Installation
	Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation
	Tent Camping Ground*
	Utility Installation for Private Project*

\* *Add where appropriate*

\*\* *Also add where appropriate but, if added, country park should be marked with \* and the following remark should be added:*

\* *Country Park means a country park or special area as designated under the Country Parks Ordinance (Cap. 208). All uses and developments require consent from the Country and Marine Parks Authority and approval from the Town Planning Board is not required.*

### Planning Intention

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

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

### Remarks

- (a) No redevelopment, including alteration and/or modification, of an existing house shall result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication in the Gazette of the notice of the interim/draft\* development permission area plan.
- (b) Any *diversion of stream*,\* 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 interim/draft\* development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

\* *Remarks in italics to be added where appropriate*

**CONSERVATION AREA**  
(for wetland only)

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 (Fish Pond Culture only)	Field Study/Education/Visitor Centre
Country Park**	Government Refuse Collection Point
Nature Reserve	Government Use (not elsewhere specified)
On-Farm Domestic Structure	House (Redevelopment only)
Wetland Habitat	Nature Trail
Wild Animals Protection Area	Public Convenience
	Public Utility Installation
	Utility Installation for Private Project*

\* *Add where appropriate*

\*\* *Also add where appropriate but, if added, country park should be marked with \* and the following remark should be added:*

\* *Country Park means a country park or special area as designated under the Country Parks Ordinance (Cap. 208). All uses and developments require consent from the Country and Marine Parks Authority and approval from the Town Planning Board is not required.*

**Planning Intention**

*The planning intention of this zone is to conserve the ecological value of wetland and fish ponds which form an integral part of the wetland ecosystem. The “no-net-loss in wetland” principle is adopted for any change in use within this zone. The primary intention is to discourage new development unless it is required to support the conservation of the ecological integrity of the wetland ecosystem or the development is an essential infrastructure project with overriding public interest.*

**Remarks**

- (a) No redevelopment, including alteration and/or modification, of an existing house shall result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication in the Gazette of the notice of the *interim/draft*\* development permission area plan.
- (b) Any *diversion of stream*,\* 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 *interim/draft*\* development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

\* *Remarks in italics to be added where appropriate*

# SITE OF SPECIAL SCIENTIFIC INTEREST

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Country Park** Wild Animals Protection Area	Agricultural Use Field Study/Education/Visitor Centre Government Use Nature Reserve Nature Trail On-Farm Domestic Structure Picnic Area* Public Convenience Public Utility Installation Tent Camping Ground* Utility Installation for Private Project*

\* *Add where appropriate*

\*\* *Also add where appropriate but, if added, country park should be marked with \* and the following remark should be added:*

\* *Country Park means a country park or special area as designated under the Country Parks Ordinance (Cap. 208). All uses and developments require consent from the Country and Marine Parks Authority and approval from the Town Planning Board is not required.*

## Planning Intention

*The planning intention of this zone is to conserve and protect the features of special scientific interest such as rare or particular species of fauna and flora and their habitats, corals, woodlands, marshes or areas of geological, ecological or botanical/biological interest which are designated as Site of Special Scientific Interest (SSSI). It intends to deter human activities or developments within the SSSI.*

*There is a general presumption against development in this zone. No developments are permitted unless they are needed to support the conservation of the features of special scientific interest in the SSSI, to maintain and protect the existing character of the SSSI, or for educational and research purposes.*

## Remarks

*Any diversion of stream,\* 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 *interim/draft\** development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.*

\* *Remarks in italics to be added where appropriate*

**OTHER SPECIFIED USES**

For “Comprehensive Development to include Wetland Restoration Area” only

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	Eating Place#
Barbecue Spot	Flat
Field Study/Education/Visitor Centre	Golf Course
Nature Trail	Government Refuse Collection Point#
On-Farm Domestic Structure	Government Use (not elsewhere specified)#
Picnic Area	Holiday Camp
Religious Institution (Ancestral Hall only)*	Hotel
Rural Committee/Village Office	House (other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes)#
	Nature Reserve
	Place of Recreation, Sports or Culture
	Private Club
	Public Clinic #
	Public Convenience #
	Public Transport Terminus or Station
	Public Utility Installation #
	Religious Institution (not elsewhere specified)
	Residential Institution
	School #
	Shop and Services #
	Social Welfare Facility #
	Tent Camping Ground #
	Theme Park
	Utility Installation for Private Project
	Wetland Habitat
	Zoo*

\* Add where appropriate

**Planning Intention**

*This zone is intended to provide incentive for the restoration of degraded wetlands adjoining existing fish ponds through comprehensive residential and/or recreational development to include wetland restoration area. It is also intended to phase out existing sporadic open storage and port back-up uses on degraded wetland. Any new building should be located farthest away from xxxxx/Deep Bay\*.*

**OTHER SPECIFIED USES** (cont'd)

**For “Comprehensive Development to include Wetland Restoration Area” only** (cont'd)

**Remarks**

- (a) Application for permission of use or development, except as otherwise specified in (b), shall be in the form of a comprehensive development scheme to include wetland restoration proposal. An applicant shall prepare a layout plan and other documents showing the following information for consideration of the Town Planning Board:
  - (i) the proposed land uses, development parameters, the nature, position and heights of all buildings to be erected in the area;
  - (ii) a wetland restoration and/or creation scheme, including its detailed design, wetland buffer proposals, a long-term maintenance and management plan, and monitoring and implementation mechanism;
  - (iii) an environmental impact study report, including but not limiting to an ecological impact assessment and a visual impact assessment, to examine any possible environmental, ecological and visual problems that may be caused to or by the proposed development during construction and after completion and the proposed mitigation measures to tackle them;
  - (iv) landscape proposals;
  - (v) a traffic impact study report to examine any possible traffic problems that may be caused by the proposed development and the proposed measures to tackle them;
  - (vi) a drainage and sewerage impact study report to examine any possible flooding, drainage, sewerage and associated problems that may be caused to or by the proposed development and the proposed mitigation measures to tackle them;
  - (vii) programming, phasing and implementation schedule of each component of the proposed development (including the wetland restoration and/or creation scheme); and
  - (viii) such other information as may be required by the Town Planning Board.

**OTHER SPECIFIED USES** (cont'd)

For "Comprehensive Development to include Wetland Restoration Area" only

- (b) For application for uses annotated with #, if developed individually and not forming part of a comprehensive development scheme, the requirement of the provision of wetland restoration proposal and the submission of layout plan as required under (a) above may be exempted.
- (c) No new development, or addition, alteration and/or modification to or redevelopment of an existing building (except development or redevelopment to 'New Territories Exempted House') shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 0.4 and a maximum building height of 6 storeys including carport or the plot ratio and height of the building which was in existence on the date of the first publication in the Gazette of the notice of the *interim/draft*\* development permission area plan, whichever is the greater.
- (d) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio and building height restrictions stated in paragraph (b) above may be considered by the Town Planning Board on application under the section 16 of the Town Planning Ordinance.
- (e) In determining the maximum plot ratio, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room, caretaker's office and caretaker's quarters, or recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.
- (f) Any *diversion of stream*\*, 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 coordinated or implemented by Government, and maintenance, repair or rebuilding\* works***)\*, shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the *interim/draft*\* development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

\* *Remarks in italics to be added where appropriate*

**OTHER SPECIFIED USES**

For “Comprehensive Development and Wetland Enhancement Area” only

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 (Fish Pond Culture only) Nature Reserve Wetland Habitat	Eating Place Field Study/Education/Visitor Centre Flat Government Refuse Collection Point Government Use (not elsewhere specified) House (other than New Territories Exempted House) Nature Trail Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation Religious Institution School Shop and Services Social Welfare Facility Utility Installation for Private Project

**Planning Intention**

*This zone is intended for conservation and enhancement of ecological value and functions of the existing fish ponds or wetland through consideration of application for development or redevelopment under the “private-public partnership approach”. Low-density private residential or passive recreational development within this zone in exchange for committed long-term conservation and management of the remaining fish ponds or wetland within the development site may be permitted subject to the “no-net-loss in wetland” principle and planning permission from the Town Planning Board. Any new building should be located farthest away from xxxxx/Deep Bay\*.*



**OTHER SPECIFIED USES** (cont'd)

For “Comprehensive Development and Wetland Enhancement Area” only (cont'd)

Remarks

- (a) Application for permission of use or development shall be in the form of a comprehensive development scheme with minimum pond filling and no decline in the wetland function of the fish ponds within and near the development site. An applicant shall prepare a layout plan and any other documents showing the following information for consideration of the Town Planning Board:
  - (i) the proposed land uses, development parameters, the nature, position and heights of all buildings to be erected in the area;
  - (ii) a wetland conservation and enhancement scheme, including its detailed design, wetland buffer proposals, a long-term maintenance and management plan, and monitoring and implementation mechanism;
  - (iii) an environmental impact study report, including but not limiting to an ecological impact assessment and a visual impact assessment, to examine any possible environmental, ecological and visual problems that may be caused to or by the proposed development during construction and after completion and the proposed mitigation measures to tackle them;
  - (iv) landscape proposals;
  - (v) a traffic impact study report to examine any possible traffic problems that may be caused by the proposed development and the proposed measures to tackle them;
  - (vi) a drainage and sewerage impact study report to examine any possible flooding, drainage, sewerage and associated problems that may be caused to or by the proposed development and the proposed mitigation measures to tackle them;
  - (vii) programming, phasing and implementation schedule of each component of the proposed development (including the wetland conservation and enhancement scheme); and
  - (viii) such other information as may be required by the Town Planning Board.

**OTHER SPECIFIED USES** (cont'd)

For “Comprehensive Development and Wetland Enhancement Area” only (cont'd)

Remarks (cont'd)

- (b) 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 *gross floor area/plot ratio* of (xxx).
- (c) In determining the maximum *plot ratio/gross floor area\**, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room, caretaker's office and caretaker's quarters, or recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.
- (d) Any *diversion of stream*,\* 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 *interim/draft\** development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

\* *Remarks in italics to be added where appropriate*

**List of Government Departments Consulted**

- (a) Director of Agriculture, Fisheries and Conservation
- (b) Commissioner for Transport
- (c) Director of Buildings
- (d) Director of Civil Engineering and Development
- (e) Director of Drainage Services
- (f) Director of Electrical and Mechanical Services
- (g) Director of Environmental Protection
- (h) Director of Fire Services
- (i) Director of Home Affairs
- (j) Director of Highways
- (k) Director of Lands
- (l) Director of Water Supplies
- (m) Commissioner of Police