

**CONFIDENTIAL**

(Downgraded on 30.7.2010)

**Minutes of 961<sup>st</sup> Meeting of the  
Town Planning Board held on 9.7.2010**

**Agenda Item 8**

[Closed Meeting]

Study on Land Use Planning for the Closed Area – Recommended Development Plan

(TPB Paper No. 8579)

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[The meeting was conducted in Cantonese.]

[Mr. Walter K.L. Chan arrived to join the meeting at this point.]

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

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|-------------------|--|
| Ms. Jacinta Woo   | Chief Town Planner/Studies & Research              |
| Mr. David Ng      | Senior Town Planner/Studies & Research             |
| Mr. Hui Wai Keung | District Planning Officer/ Sha Tin, Tai Po & North |

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

[Dr. W.K. Lo left the meeting at this point.]

3. Ms. Jacinta Woo informed members that an additional plan (Figure 1.1 of Appendix 1) had been tabled for Members' reference. With the aid of a powerpoint presentation, she presented the main contents of the paper as follows:

(a) on 30.10.2009, the Board was consulted on the Draft Development

Plan for the Closed Area during the Stage 2 Community Engagement Exercise for the Study on Land Use Planning for the Closed Area (the Study);

- (b) during the two-month community engagement exercise, the public generally considered that the proposals of the Draft Development Plan achieved a proper balance between development and conservation. Nevertheless, there were specific views which were summarised as follows:
- some people urged for more hi-tech and commercial development in the area as it was strategically located;
  - the rural committees considered the designation of private land for “Green Belt” or “Conservation Area” to be unfair and demanded either compensation or development opportunities;
  - the green groups were concerned with the proliferation of unauthorised developments and suggested restricting heavy vehicles from entering the area. They also considered that the private-public partnership (PPP) approach for developing the Hoo Hok Wai area might not be effective in achieving conservation purposes; and
  - indigenous villagers requested the “V” zones to be expanded to take into account small house demand for the next 20 years or more;
- (c) to prevent urban sprawl and to preserve the existing ecological resources and rural environment, statutory town plans would be prepared to bring the area under the control of the Town Planning Ordinance;
- (d) to achieve a proper balance between development and conservation, the Recommended Development Plan (RDP) proposed a sustainable planning framework that would maintain the Study Area as a belt of conservation, cultural heritage and sustainable uses. The main proposals of the RDP were explained below;

*Recommended Development Plan – Western Portion*

- (e) as this area was endowed with natural and ecological assets, the proposals would focus on conservation and recreational uses;
- (f) Hoo Hok Wai was an area of fishponds intermingled with fresh marshland and reedbed forming part of the wetland ecological system in the Deep Bay area and providing an important foraging ground for egrets and herons. The area was proposed to be conserved due to its high ecological value. As 60% of the land was under private ownership, the PPP approach was considered a suitable mechanism that would balance the objective of conservation against landowners' expectations for more beneficial use of their land. In view of the large size of the area (covering 240 ha) and fragmented land ownership, further study would need to be conducted before designating any land use zones on the statutory plan for Hoo Hok Wai. For interim planning control purpose, it was recommended that the area be designated as "Unspecified Use";
- (g) on the hillslopes of Ma Tso Lung overlooking Hoo Hok Wai, an eco-lodge development with a plot ratio of 0.1 to 0.2 was proposed to take advantage of the scenic views. A set of guidelines on site selection and design criteria, such as the adoption of eco-friendly and energy efficient building design, would be drawn up for the eco-lodge at this site and for similar proposals in the Study Area;
- (h) a stretch of land in the vicinity of the Lok Ma Chau/Huanggang Boundary Control Point, the Lok Ma Chau Loop and the Kwu Tung North NDA was proposed as the Lok Ma Chau Development Corridor which would serve to link up and supplement the development in these areas. There was potential for the complementary development of commercial, retail and entertainment uses within the Lok Ma Chau Development Corridor;

*Recommended Development Plan – Middle Portion*

- (i) as the area was endowed with scattered villages of rich cultural heritage and agricultural land, the proposals were for cultural heritage conservation, and the promotion of nature-based leisure and recreational activities and agri-tourism that would not detract from the natural, historic or rural settings;
- (j) the former borrow area at Kong Nga Po (7 ha) was proposed for comprehensive residential development at a plot ratio of 1.5 and a maximum building height of 3 to 6 storeys, providing 600 flats. To encourage the incorporation of green initiatives and sustainable living concepts within the development, it was proposed that any development on the site would require planning permission from the Board;
- (k) to provide incentive to phase out existing open storage and vehicle parking uses, an area of about 10ha in the vicinity of Hung Lung Hang was proposed for residential development with a maximum plot ratio of 0.75 and a maximum building height of 4 storeys;
- (l) an area to the south of the Man Kam To Boundary Control Point was proposed as the Man Kam To Development Corridor to provide supporting facilities for cross-boundary trade/logistics activities and a range of uses including hi-tech, commercial and creative industries;
- (m) the existing Sandy Ridge Cemetery was considered to be suitable for the development of crematorium and columbarium facilities to meet the growing territorial demand. An engineering feasibility study would be conducted to formulate detailed development proposals for these uses;

*Recommended Development Plan – Eastern Portion*

- (n) this area was of high conservation value, landscape quality and recreational potential;
- (o) to protect important wildlife habitats, natural landscapes and woodlands with high ecological and landscape quality, it was proposed that the Robin's Nest area be designated as a country park. The proposed country park would include the Lin Ma Hang Lead Mines and the ecological corridor between Pat Sin Leng and Wutongshan in Shenzhen;
- (p) it was proposed that a 20m wide riparian corridor on both sides of the Lin Ma Hang Stream (already designated as a Site of Scientific Interest (SSSI)) should be put under statutory control and zoned as SSSI;
- (q) in response to a public comment received during the community engagement exercise, a 12 ha site in Tong To, Sha Tau Kok was proposed for recreational use to facilitate a proposed agri-tourism development comprising an organic farm complex with green farming, leisure and recreational uses; and

#### *Way Forward*

- (r) based on the Recommended Development Plan, draft Development Permission Area (DPA) Plans would be prepared and gazetted before the release of the Closed Area.

4. In response to a Member's enquiry, Ms. Jacinta Woo explained that the existing cemetery at Sandy Ridge was not yet fully developed and there was potential for the development of more columbarium facilities at the site. The Food and Health Bureau would carry out a feasibility study on the future expansion of crematorium and columbarium facilities at the site.

5. Without information on the proposals for the Lok Ma Chau Loop (the Loop) which was under a separate study, a Member was concerned about the planning for cross-boundary related activities and for knowledge-based industries which might induce cross-boundary co-operation in the Lok Ma Chau area. With the proliferation of open storage and other incompatible land uses in the area, this Member was concerned whether suitable land for environmental industries or private hospital had been reserved in the Study area. The Chairman explained that the Loop was currently under a joint study between the authorities in Hong Kong and Shenzhen and it was agreed in-principle between the two Governments that the Loop should be reserved primarily for the development of higher educational facilities with hi-tech and creative industries. Upon the completion of that study, the Government would further examine the implementation details. Ms. Jacinta Woo added that the Study had examined the area in the vicinity of the Loop and it was proposed for development of commercial services, and shopping and entertainment facilities to complement the future development of the Loop and the Kwu Tung North NDA. There were, however, no plans for a private hospital development in the area. The Chairman supplemented that the relevant Government departments had been consulted and the Study had already incorporated any departmental requirements for land to serve the 6 knowledge-based industries.

6. A Member commented that the proposals for Hung Lung Hang and the proposed ecological corridor linking with Shenzhen were supported. The same Member enquired how the PPP approach would be implemented for the Hoo Hok Wai area. In response, Ms. Jacinta Woo explained that the Hoo Hok Wai area was already included as one of the 12 priority sites to be considered for implementation by the PPP approach under the new nature conservation policy. However, in view of the size of Hoo Hok Wai which covered 240 ha of land, it was considered that zoning the site to “Comprehensive Development and Wetland Enhancement Area” might not be appropriate. Further study would be conducted to examine whether some areas should be designated under conservation-related zonings and whether some areas could be identified for development-related land uses.

7. As Members had no further questions and comments, the Chairman concluded that the study findings were noted by the Board. He thanked the

representatives of PlanD for attending the meeting. They left the meeting at this point.

**Agenda Item 9**

[Closed Meeting]

Consideration of 5 Draft Development Permission Area (DPA) Plans for the Closed Area in the North District

**(TPB Paper No. 8574)**

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[The meeting was conducted in Cantonese.]

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

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|-------------------|--|
| Mr. Hui Wai Keung | District Planning Officer/ Sha Tin, Tai Po & North |
| Mr. P.K. Ip       | Senior Town Planner/Frontier Closed Area           |

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

10. With the aid of a powerpoint presentation, Mr. P.K. Ip presented the main contents of the paper as follows:

- (a) the 5 draft DPA plans were proposed to cover all land areas in the HKSAR from the southern bank of the trained Shenzhen River to the northern limit of the existing rural OZPs in the north-west and north-east New Territories, except for Sha Tau Kok Town and the Look Ma Chau Loop;
- (b) the zoning proposals in the 5 draft DPA plans were based on the land use proposals recommended in the Study on Land Use Planning for the Closed Area (the Study);

- (c) DPA plans were considered necessary to provide interim planning guidance for future development and enforcement action. There was also a need to consolidate the villages, rural settlements and other developments to avoid disturbance to the natural environment and overtaxing the infrastructure;

*General Issues*

- (d) due to an increase in the number of sites used for open storage and port back-up uses along Lin Ma Hang Road and Ping Che Road, the Covering Notes for the 5 draft DPA plans had included a provision that prohibited temporary open storage/port back-up uses in conservation-related zonings. The Explanatory Statements of the 5 draft DPA plans had also specified that there was a presumption against filling of ponds for temporary land uses/developments in conservation-related zones;
- (e) “V” zones were drawn to cover all existing recognised villages and areas suitable for village expansion. The boundaries of “V” zones had taken into account the existing village ‘environs’, outstanding Small House applications, the 10-year Small House demand forecast, local topography, settlement patterns, ecologically important areas, and other site characteristics. Areas of difficult terrain, dense vegetation, burial grounds and stream courses had been avoided. The boundaries of “V” zones would be kept under close review. To provide opportunities for the provision of short-term accommodation in existing and future villages to promote village-life experience, leisure farming and agri-tourism, the user term “Hotel (Holiday House only)” had been added under Column 2 of the “V” zone;
- (f) to promote the development of eco-tourism at suitable locations, a total of 145 ha of largely abandoned agricultural land adjoining traditional villages were zoned “Recreation” (“REC”) where



low-density developments for recreational purposes such as holiday camp with sporting facilities, local museums, hobby farms were always permitted. Upon approval by the Board, residential development not exceeding a plot ratio of 0.2 and a building height of 2 storeys might be permitted. Three main areas were zoned “REC”, viz. at Pak Fu Shan and Kan Tau Wai in Ta Kwu Ling North, near Ta Kwu Ling Village and Fung Wong Wu in Man Kam To, and near Tong To Ping Tsuen in Sha Tau Kok;

*Draft Ma Tso Lung and Hoo Hok Wai DPA Plan*

- (g) the small knoll to the west of Tse Koo Hang was zoned “Other Specified Uses (Eco-lodge)” for sustainable-based tourism in the form of an eco-lodge. The proposed eco-lodge should integrate with the natural topography and should adopt the best practice/green architecture/sustainable principle in its design, construction and operation. A maximum plot ratio of 0.2 and a maximum building height of 1 storey was imposed. The Master Schedule of Notes for the “OU(Eco-lodge)” zone and the definition of “Eco-lodge” as a user term were given at Appendix G of the Paper for agreement by the Board;
- (h) an area of 18.01 ha at Ho Sheung Heung was zoned “Conservation Area” to protect and conserve the ecological value and associated habitats of the Ho Sheung Heung Egretty;
- (i) an area of about 246 ha at Hoo Hok Wai was designated as an “Unspecified Use” area to enable interim planning control. The area comprised a range of fishponds, marshland, reedbeds and wet grassland which formed an integral part of the Deep Bay wetland ecosystem. A separate study would be conducted to ascertain the development content within Hoo Hok Wai and to establish areas for protection and preservation while allowing a small but optimal level of development or redevelopment;

*Draft Man Kam To DPA Plan*

- (j) the existing Sandy Ridge cemetery was zoned “Other Specified Uses (Cemetery)” to reflect the existing use and to designate land for cemeteries, graves and funeral facilities including columbarium and crematorium. The Civil Engineering and Development Department would conduct a detailed study on the operational requirement, design and disposition to determine the optimal development intensity and building height of future facilities;
- (k) although the Study recommended the former borrow area at Kong Nga Po for comprehensive residential development, the proposal only covered about 20% of the borrow area. As a major portion of the borrow area straddled two existing OZPs located to the south of the draft Man Kam To DPA plan, it was proposed that the Kong Nga Po area be designated as an “Unspecified Use” area to allow interim planning control and to determine the land use zoning for the entire borrow area after the boundaries of the relevant OZPs had been revised;

*Draft Ta Kwu Ling North DPA Plan*

- (l) a site of about 23.82 ha to the south-west of Pak Fu Shan was zoned “Other Specified Uses (Boundary Crossing Facilities) for the proposed development of facilities related to the proposed Liantang/Heung Yuen Wai Boundary Control Point. The proposed village reprovisioning site for Chuk Yuen Village which was affected by the development of the boundary crossing facility was zoned “V”;

*Draft Lin Ma Hang DPA Plan*

- (m) two sites were zoned “Site of Special Scientific Interest” (SSSI), including the Lin Ma Hang Stream where 16 species of primary

freshwater fish (including one locally rare species) were found, and the Lin Ma Hang Lead Mine where one of the most important bat colonies (with 8 bat species) were found;

- (n) a 20 metre-wide riparian corridor on both sides of the Lin Ma Hang Stream was currently zoned “Conservation Area” to protect habitats for wildlife associated with the stream, pending completion of the procedures to upgrade the status of the riparian corridor into an SSSI;

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

*Draft Sha Tau Kok DPA Plan*

- (o) the Robin’s Nest area, which formed an important ecological corridor between Pat Sin Leng and Wutongshan in Shenzhen, was zoned “Green Belt” in the interim, pending the completion of the statutory procedures for designating the area into a country park;

*Consultation*

- (p) the relevant bureaux/departments had been consulted and their comments had been incorporated, where appropriate. In view of the sensitivity of the DPA plans, the North District Council and the relevant Rural Committees would be consulted as soon as possible after the gazette of the 5 draft DPA plans.

11. A Member commented that there was a demand from the indigenous villagers that the “V” zones should be drawn up taking into account the 20-year Small House forecast demand instead of the 10-year Small house demand forecast currently adopted. In response, Mr. Hui Wai Keung explained that compared with the actual demand for Small House at the moment, the amount of land provided to meet the 10-year Small House forecast demand was already sufficient as a total of about 98 ha of land would be zoned “V” on the 5 draft DPA plans. Besides, this was in line with

the practice currently adopted for other villages in the New Territories. As the DPA plans were only for interim planning control and would be replaced by the OZPs within 3 years, PlanD would monitor the demand for Small House in the area and consider whether the “V” zones would need to be expanded to meet the forecast demand during the preparation of the OZPs. A Member agreed with the approach and commented that there would be ample opportunities in the future, when the DPA plans were replaced by OZPs, to consider whether the “V” zones were adequate or not.

[Dr. Winnie S.M. Tang left the meeting at this point.]

12. In response to a Member’s enquiry on why some existing villages were not zoned as “V”, Mr. Hui Wai Keung explained that only the recognised villages were zoned “V” on the draft DPA plans, i.e. villages which were in existence before 1898.

13. A Member enquired about the significance of cross-boundary population movements and Mr. Hui explained that the number of people crossing the boundary on a daily basis for employment purposes was relatively minor but the number of cross-boundary students was on the increase.

14. A Member commented that upon the release of the boundary of the Closed Area and with the current proposals for development adopting the PPP approach, the number of indigenous villagers returning to the area would likely increase and the amount of land required for the “V” zone might not be adequate. In response, Mr. Hui explained that the 10-year Small House forecast demand was actually an estimation provided by the villager representatives. Since the proposal to revise the boundary of the Closed Area was known to most villagers, the 10-year Small House forecast demand had already taken into account the known development opportunities resulting therefrom. The proposed zoning of about 98 ha of land for “V” use was already much larger than the existing land coverage of the recognised villages which was only 34 ha.

15. As Members had no further questions and comments, the Chairman concluded the discussion and thanked the representatives of PlanD for attending the

meeting. They left the meeting at this point.

16. After further deliberation, the Board agreed that:

- (a) the 5 draft DPA Plans and their Notes were suitable for exhibition under section 5 of the Ordinance;
- (b) the Explanatory Statements of the 5 draft DPA Plans were suitable to serve as expression of the planning intentions and objectives of the Board for the various land use zonings for the DPA plans and that the Explanatory Statements should be issued under the name of the Board;
- (c) briefings on the 5 draft DPA plans would be conducted for the North District Council and the relevant Rural Committees shortly after their publication under section 5 of the Ordinance; and
- (d) the Notes for “OU(Eco-lodge)” should be incorporated into the Master Schedule of Notes to Statutory Plans and the definition for ‘Eco-lodge’ should be added to the Definition of Terms used in Statutory Plans.