

DRAFT KWU TUNG SOUTH
OUTLINE ZONING PLAN NO. S/NE-KTS/21

Amendments

Notes

Schedule of Uses

Explanatory Statement

**SCHEDULE OF AMENDMENTS TO
THE APPROVED KWU TUNG SOUTH OUTLINE ZONING PLAN NO. S/NE-KTS/20
MADE BY THE TOWN PLANNING BOARD
UNDER THE TOWN PLANNING ORDINANCE (Chapter 131)**

I. Amendments to Matters shown on the Plan

- Item A – Rezoning of a site to the south of Kam Hang Road and east of Hang Tau Road from “Recreation” (“REC”) and “Agriculture” to “Residential (Group B)” (“R(B)”) with stipulation of building height restriction.
- Item B – Rezoning of a site to the north of Kam Hang Road from “REC” to “Government, Institution or Community (1)” (“G/IC(1)”) with stipulation of building height restriction.

II. Amendments to the Notes of the Plan

- (a) Incorporation of a set of Notes for “R(B)” zone.
- (b) Incorporation of ‘Shop and Services (on ground floor in “G/IC(1)” only)’ under Column 1 of the Notes for “Government, Institution or Community” zone; and incorporation of Remarks for the “G/IC(1)” sub-zone.
- (c) Incorporation of ‘Government Refuse Collection Point’ and ‘Public Convenience’ under Column 1 of the Notes for “Village Type Development” (“V”) zone; and corresponding deletion of ‘Government Refuse Collection Point’ and ‘Public Convenience’ under Column 2 of the Notes for “V” zone.
- (d) Incorporation of ‘Field Study/Education/Visitor Centre’ under Column 2 of the Notes for “V” zone.
- (e) Deletion of the Remarks of the Notes for “Open Space” zone.
- (f) Deletion of the clause on excavation of land in the Remarks of the Notes for “REC” zone.

Town Planning Board

31 May 2024

DRAFT KWU TUNG SOUTH OUTLINE ZONING PLAN NO. S/NE-KTS/21

(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 Kwu Tung South Interim Development Permission Area Plan/Pat Heung Interim 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 interim 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 Kwu Tung South Interim Development Permission Area Plan/Pat Heung Interim 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 Kwu Tung South Interim Development Permission Area Plan/Pat Heung Interim 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) Road junctions, 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 where the uses or developments are specified in Column 2 of the Notes of individual zones:
 - (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 Kwu Tung South Interim Development Permission Area Plan/Pat Heung Interim 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 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, toll plaza and on-street vehicle park.
- (10) (a) 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 (10)(a), 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.
- (11) 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.
- (12) 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 Kwu Tung South Outline Zoning Plan No. S/NE-KTS/21

Schedule of Uses

	<u>Page</u>
COMPREHENSIVE DEVELOPMENT AREA	1
RESIDENTIAL (GROUP B)	4
RESIDENTIAL (GROUP C)	6
RESIDENTIAL (GROUP D)	8
VILLAGE TYPE DEVELOPMENT	10
GOVERNMENT, INSTITUTION OR COMMUNITY	12
OPEN SPACE	14
RECREATION	15
AGRICULTURE	17
GREEN BELT	19

COMPREHENSIVE DEVELOPMENT AREA

Column 1
Uses always permitted

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

- Barbecue Spot
- Eating Place
- Flat
- Government Refuse Collection Point
- Government Use (not elsewhere specified)
- 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)
- Library
- Picnic Area
- Place of Entertainment
- 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
- Residential Institution
- Rural Committee/Village Office
- School
- Shop and Services
- Social Welfare Facility
- Utility Installation for Private Project

Planning Intention

This zone is intended for comprehensive development/redevelopment of the area for residential uses with the provision of open space and other supporting facilities. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.

(Please see next page)

COMPREHENSIVE DEVELOPMENT AREA (Cont'd)

Remarks

- (a) Pursuant to section 4A(2) of the Town Planning Ordinance, and except as otherwise expressly provided that it is not required by the Town Planning Board, an applicant for permission for development on land designated "Comprehensive Development Area" shall prepare a Master Layout Plan for the approval of the Town Planning Board and include therein the following information:
- (i) the area of the proposed land uses, the nature, position, dimensions, and heights of all buildings to be erected in the area;
 - (ii) the proposed total site area and gross floor area for various uses, total number of flats and flat size, where applicable;
 - (iii) the details and extent of Government, institution or community (GIC) and recreational facilities, public transport and parking facilities, and open space to be provided within the area;
 - (iv) the alignment, widths and levels of any roads proposed to be constructed within the area;
 - (v) the landscape and urban design proposals within the area;
 - (vi) programmes of development in detail;
 - (vii) an environmental assessment report to examine any possible environmental problems that may be caused to or by the proposed development during and after construction and the proposed mitigation measures to tackle them;
 - (viii) a drainage and sewerage impact assessment report to examine any possible drainage and sewerage problems that may be caused by the proposed development and the proposed mitigation measures to tackle them;
 - (ix) a traffic impact assessment report to examine any possible traffic problems that may be caused by the proposed development and the proposed mitigation measures to tackle them; and
 - (x) such other information as may be required by the Town Planning Board.
- (b) The Master Layout Plan should be supported by an explanatory statement which contains an adequate explanation of the development proposal, including such information as land tenure, relevant lease conditions, existing conditions of the site, the character of the site in relation to the surrounding areas, principles of layout design, major development parameters, design population, types of GIC facilities, and recreational and open space facilities.

(Please see next page)

COMPREHENSIVE DEVELOPMENT AREA (Cont'd)

Remarks (Cont'd)

- (c) On land designated “Comprehensive Development Area (1)” and “Comprehensive Development Area (2)” on Kam Hang Road, 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 plot ratio of 3 and the maximum building height in terms of metres above Principal Datum as stipulated on the Plan, or the plot ratio and height of the existing building, whichever is the greater. In determining the maximum plot ratio, any floor space that is constructed or intended for use solely as GIC facilities, as required by the Government, may be disregarded.
- (d) On land designated “Comprehensive Development Area (3)” to the south of Kwu Tung Road and to the west of Hang Tau Road, 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 plot ratio of 2 and the maximum building height in terms of metres above Principal Datum as stipulated on the Plan, or the plot ratio and height of the existing building, whichever is the greater.
- (e) On land designated “Comprehensive Development Area” to the north of Hang Tau Village fronting Hang Tau Road, 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 the maximum plot ratio specified below and the maximum building height stipulated on the Plan, or the plot ratio and height of the existing building, whichever is the greater:

<u>Area</u>	<u>Maximum Domestic Plot Ratio</u>	<u>Maximum Non-Domestic Plot Ratio</u>
Area (a)	1.23	0.18
	<u>Maximum Plot Ratio</u>	
Area (b)	1.23	

- (f) In determining the maximum plot ratio for the purposes of paragraphs (c), (d) and (e) above, 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.
- (g) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio and/or building height restrictions stated in paragraphs (c), (d) and (e) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

RESIDENTIAL (GROUP B)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Flat Government Use (Police Reporting Centre, Post Office only) House Library Residential Institution School (in free-standing purpose- designed building only) Utility Installation for Private Project	Ambulance Depot Eating Place Educational Institution Government Refuse Collection Point Government Use (not elsewhere specified) Hospital Hotel Institutional Use (not elsewhere specified) Office Petrol Filling Station Place of Entertainment 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) Recyclable Collection Centre Religious Institution Rural Committee/Village Office School (not elsewhere specified) Shop and Services Social Welfare Facility Training Centre

Planning Intention

This zone is intended primarily for sub-urban medium-density residential developments in rural areas where commercial uses serving the residential neighbourhood may be permitted on application to the Town Planning Board.

(Please see next page)

RESIDENTIAL (GROUP B) (Cont'd)

Remarks

- (a) On land designated “Residential (Group 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 plot ratio of 2.4 and a maximum building height in terms of metres above Principal Datum as stipulated on the Plan, or the plot ratio and height of the existing building, whichever is the greater.
- (b) In determining the maximum plot ratio for the purposes of paragraph (a) above, 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.
- (c) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio and/or building height restrictions stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

RESIDENTIAL (GROUP C)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Flat Government Use (Police Reporting Centre, Post Office only) House Utility Installation for Private Project	Ambulance Depot Eating Place Educational Institution # Government Refuse Collection Point Government Use (not elsewhere specified) # Institutional Use (not elsewhere specified) # Library Petrol Filling Station 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) Recyclable Collection Centre Religious Institution # Residential Institution Rural Committee/Village Office School # Shop and Services Social Welfare Facility # Training Centre

Planning Intention

This zone is intended primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Town Planning Board.

(Please see next page)

RESIDENTIAL (GROUP C) (Cont'd)

Remarks

- (a) No new development, or addition, alteration and/or modification to or redevelopment of an existing building (other than those annotated with #) shall result in a total development and/or redevelopment in excess of the maximum plot ratio, the maximum site coverage and the maximum building height specified below, or the plot ratio, site coverage 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 development permission area plan, whichever is the greater:

<u>Sub-area</u>	<u>Maximum Plot Ratio</u>	<u>Maximum Site Coverage</u>	<u>Maximum Building Height</u>
Residential (Group C) "R(C)" ("R(C)1")	0.43	20%	3 storeys (12.05m)
R(C)2	0.4	20%	3 storeys including car park
R(C)3	0.4	15%	3 storeys (9.5m)
R(C)4	0.35	20%	2 storeys over 1 storey car park
R(C)5	0.2	10%	2 storeys (7.6m)

- (b) In determining the maximum plot ratio/site coverage for the purposes of paragraph (a) above, 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.
- (c) Based on individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio, site coverage and/or building height restrictions stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

RESIDENTIAL (GROUP D)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Government Use (Police Reporting Centre, Post Office only) House (Redevelopment; Addition, Alteration and/or Modification to existing house only) On-Farm Domestic Structure Rural Committee/Village Office	Eating Place Flat Government Refuse Collection Point Government Use (not elsewhere specified) # House (not elsewhere specified) Institutional Use (not elsewhere specified) # Library 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 # Residential Institution # School # Shop and Services Social Welfare Facility # Utility Installation for Private Project

In addition, the following uses are always permitted on the ground floor of a New Territories Exempted House:

- Eating Place
- Library
- School
- Shop and Services

Planning Intention

This zone is intended primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Town Planning Board.

(Please see next page)

RESIDENTIAL (GROUP D) (Cont'd)

Remarks

- (a) No addition, alteration and/or modification to or in-situ redevelopment of an existing temporary structure or an existing building (except to 'New Territories Exempted House' or to those annotated with #) shall result in a total development and/or redevelopment in excess of a maximum building area of 37.2m² and a maximum building height of 2 storeys (6m), or the building area 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 development permission area plan, whichever is the greater.
- (b) On land designated "Residential (Group D)", no development including redevelopment for 'Flat' and 'House' (except 'New Territories Exempted House') uses, other than those to which paragraph (a) above shall apply, shall result in a development and/or redevelopment in excess of a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m).
- (c) On land designated "Residential (Group D)1", no development including redevelopment for 'Flat' and 'House' (except 'New Territories Exempted House') uses, other than those to which paragraph (a) above shall apply, shall result in a development and/or redevelopment in excess of a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m). Any building development shall be located in Area (a) and no building development (except ancillary structures) is permitted in Area (b) which shall be designated as a landscaped area with ancillary car parking and utility installations.
- (d) In determining the maximum plot ratio for the purposes of paragraphs (b) and (c) above, 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.
- (e) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio and/or building height restrictions stated in paragraphs (b) and (c) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

VILLAGE TYPE DEVELOPMENT

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Government Refuse Collection Point Government Use (Police Reporting Centre, Post Office only) House (New Territories Exempted House only) On-Farm Domestic Structure Public Convenience Religious Institution (Ancestral Hall only) Rural Committee/Village Office	Burial Ground Eating Place Field Study/Education/Visitor Centre Government Use (not elsewhere specified) # House (not elsewhere specified) Institutional Use (not elsewhere specified) # Place of Recreation, Sports or Culture Public Clinic Public Transport Terminus or Station Public Utility Installation # Public Vehicle Park (excluding container vehicle) Religious Institution (not elsewhere specified) # Residential Institution # School # Shop and Services Social Welfare Facility # Utility Installation for Private Project

In addition, the following uses are always permitted on the ground floor of a New Territories Exempted House:

- Eating Place
- Library
- School
- Shop and Services

Planning Intention

The planning intention of this zone is to designate both existing recognised 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.

(Please see next page)

VILLAGE TYPE DEVELOPMENT (Cont'd)

Remarks

- (a) No new development, or addition, alteration and/or modification to or redevelopment of an existing building (except development or redevelopment to those annotated with #) shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23m) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the interim 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 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 interim 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 1 Uses always permitted	Column 2 Uses that may be permitted with or 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 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 Shop and Services (on ground floor in "G/IC(1)" only) 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 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) Off-course Betting Centre Office Petrol Filling Station Place of Entertainment Private Club Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation Refuse Disposal Installation (Refuse Transfer Station only) Residential Institution Sewage Treatment/Screening Plant Shop and Services (not elsewhere specified) Utility Installation for Private Project Zoo

(Please see next page)

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) On land designated “Government, Institution or Community (1)”, 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 the maximum building height in terms of number of storeys as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (b) In determining the maximum number of storey(s) for the purposes of paragraph (a) above, any basement floor(s) may be disregarded.
- (c) 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.

OPEN SPACE

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Aviary Barbecue Spot Bathing Beach Field Study/Education/Visitor Centre Park and Garden Pavilion Pedestrian Area Picnic Area Playground/Playing Field Public Convenience Sitting Out Area Zoo	Eating Place Government Refuse Collection Point Government Use (not elsewhere specified) Holiday Camp Place of Entertainment Place of Recreation, Sports or Culture Private Club Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Religious Institution Service Reservoir Shop and Services Tent Camping Ground Utility Installation for Private Project

Planning Intention

This zone is intended primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.

RECREATION

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Barbecue Spot Field Study/Education/Visitor Centre Government Use (Police Reporting Centre only) Holiday Camp On-Farm Domestic Structure Picnic Area Place of Recreation, Sports or Culture Public Convenience Rural Committee/Village Office Tent Camping Ground	Animal Boarding Establishment Broadcasting, Television and/or Film Studio Eating Place Flat Golf Course Government Refuse Collection Point Government Use (not elsewhere specified) Helicopter Landing Pad Hotel House (other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes) Place of Entertainment Private Club Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Religious Institution Residential Institution Shop and Services Theme Park Utility Installation for Private Project Zoo

Planning Intention

This zone is intended primarily for recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the recreational developments may be permitted subject to planning permission.

(Please see next page)

RECREATION (Cont'd)

Remarks

- (a) No residential development (except 'New Territories Exempted House') shall result in a total development in excess of a maximum plot ratio of 0.2 and a maximum building height of 2 storeys (6m).
- (b) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio and/or building height restrictions stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (c) Any 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 interim development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

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 Government Use (Police Reporting Centre only) On-Farm Domestic Structure Public Convenience Religious Institution (Ancestral Hall only) Rural Committee/Village Office	Animal Boarding Establishment Barbecue Spot Burial Ground Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) House (New Territories Exempted House only, other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes) Picnic Area Place of Recreation, Sports or Culture (Horse Riding School, Hobby Farm, Fishing Ground only) Public Utility Installation Religious Institution (not elsewhere specified) School Utility Installation for Private Project

Planning Intention

This zone is intended primarily to retain and safeguard good quality agricultural land/farm/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.

(Please see next page)

AGRICULTURE (Cont'd)

Remarks

- (a) Any 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 interim development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

- (b) Any filling 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 Kwu Tung South Outline Zoning Plan No. S/NE-KTS/10 without the permission from the Town Planning Board under section 16 of 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.

GREEN BELT

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Barbecue Spot Government Use (Police Reporting Centre only) Nature Reserve Nature Trail On-Farm Domestic Structure Picnic Area Public Convenience Tent Camping Ground Wild Animals Protection Area	Animal Boarding Establishment Broadcasting, Television and/or Film Studio Burial Ground Columbarium (within a Religious Institution or extension of existing Columbarium only) Crematorium (within a Religious Institution or extension of existing Crematorium only) Field Study/Education/Visitor Centre Golf Course Government Refuse Collection Point Government Use (not elsewhere specified) Helicopter Landing Pad Holiday Camp House (other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes) Petrol Filling Station Place of Recreation, Sports or Culture Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation Religious Institution Residential Institution Rural Committee/Village Office School Service Reservoir Social Welfare Facility Utility Installation for Private Project

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.

(Please see next page)

GREEN BELT (Cont'd)

Remarks

Any 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 development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

DRAFT KWU TUNG SOUTH OUTLINE ZONING PLAN NO. S/NE-KTS/21

EXPLANATORY STATEMENT

Draft Kwu Tung South Outline Zoning Plan No. S/NE-KTS/21

Explanatory Statement

<u>CONTENTS</u>	<u>Page</u>
1. INTRODUCTION	1
2. AUTHORITY FOR THE PLAN AND PROCEDURE	1
3. OBJECT OF THE PLAN	2
4. NOTES OF THE PLAN	3
5. THE PLANNING SCHEME AREA	3
6. POPULATION	4
7. OPPORTUNITIES AND CONSTRAINTS	4
8. GENERAL PLANNING INTENTION	5
9. LAND USE ZONINGS	
9.1 Comprehensive Development Area	6
9.2 Residential (Group B)	8
9.3 Residential (Group C)	8
9.4 Residential (Group D)	9
9.5 Village Type Development	10
9.6 Government, Institution or Community	10
9.7 Open Space	11
9.8 Recreation	11
9.9 Agriculture	12
9.10 Green Belt	12
10. CULTURAL HERITAGE	13
11. COMMUNICATIONS	14
12. UTILITY SERVICES	14
13. IMPLEMENTATION	15
14. PLANNING CONTROL	15

DRAFT KWU TUNG SOUTH OUTLINE ZONING PLAN NO. S/NE-KTS/21

(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 Kwu Tung South Outline Zoning Plan (OZP) No. S/NE-KTS/21. It reflects the planning intentions 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 Kwu Tung South OZP covered the land previously included in the Kwu Tung South Interim Development Permission Area (IDPA) Plan No. IDPA/NE-KTS/1 and a piece of land previously included in the Pat Heung IDPA Plan No. IDPA/YL-PH/1, both of which were prepared by the Director of Planning, and notified in the Gazette on 17 August 1990 and 5 October 1990 respectively. This land was subsequently included in the draft Kwu Tung South Development Permission Area (DPA) Plan No. DPA/NE-KTS/1 which was prepared by the Board and exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance) on 12 July 1991.
- 2.2 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 area of Kwu Tung South.
- 2.3 On 22 February 1994, the then Governor in Council, under section 9(1)(a) of the Ordinance, approved the draft Kwu Tung South DPA Plan, which was subsequently renumbered as DPA/NE-KTS/2.
- 2.4 On 3 June 1994, the draft Kwu Tung South OZP No. S/NE-KTS/1 was exhibited for public inspection under section 5 of the Ordinance. The OZP was subsequently amended twice and exhibited for public inspection under section 7 of the Ordinance.
- 2.5 On 9 February 1999, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Kwu Tung South OZP, which was renumbered as S/NE-KTS/4. On 22 June 1999, the CE in C referred the approved OZP 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 12(3) of the Ordinance.
- 2.6 On 27 June 2000, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Kwu Tung South OZP, which was subsequently renumbered as S/NE-KTS/6. On 28 May 2002, the CE in C referred the

approved OZP 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.

- 2.7 On 29 April 2003, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Kwu Tung South OZP, which was subsequently renumbered as S/NE-KTS/8. On 9 December 2003, the CE in C referred the approved OZP to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was subsequently amended three times to incorporate amendments to the Notes of the OZP.
- 2.8 On 17 October 2006, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Kwu Tung South OZP, which was subsequently renumbered as S/NE-KTS/12. On 17 April 2012, the CE in C referred the approved OZP to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was subsequently amended four times and exhibited under section 5 of the Ordinance.
- 2.9 On 26 March 2024, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Kwu Tung South OZP, which was subsequently renumbered as S/NE-KTS/20. On 12 April 2024, the approved Kwu Tung South OZP No. S/NE-KTS/20 was exhibited for public inspection under section 9D(2) of the Ordinance.
- 2.10 On 16 April 2024, the Secretary for Development referred the approved Kwu Tung South OZP No. S/NE-KTS/20 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 26 April 2024 under section 12(2) of the Ordinance.
- 2.11 On 31 May 2024, the draft Kwu Tung South OZP No. S/NE-KTS/21 (the Plan) was exhibited for public inspection under section 5 of the Ordinance. The major amendments to the Plan included (a) rezoning of a site to the south of Kam Hang Road and east of Hang Tau Road from “Recreation” (“REC”) and “Agriculture” to “Residential (Group B)”; and (b) rezoning of a site to the north of Kam Hang Road from “REC” to “Government, Institution or Community (1)”.

3. OBJECT OF THE PLAN

- 3.1 The object of the Plan is to indicate the broad land use zonings for the area of Kwu Tung South so that development and redevelopment within this area can be put under statutory planning control. It also provides a 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 alternations 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 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 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 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 <https://www.tpb.gov.hk/>.

5. THE PLANNING SCHEME AREA

- 5.1 The Area covered by the Plan has an area of about 525 hectares (ha). It is bounded by the Hong Kong Golf Club in the east, Fanling Highway in the north, Ki Lun Shan (Hadden Hill) in the west and the Lam Tsuen Country Park in the south. The boundary of the Area is shown by a heavy broken line on the Plan.
- 5.2 The Area is traversed by the Tam Shui Hang, the watercourse which flows from the upland areas in the south and meanders through the Area, before it joins Sheung Yue Ho (River Beas) and then runs downstream to Kwu Tung in the north and further to Shenzhen River. On both sides of the rivers are a number of fish ponds and flat land for agricultural use. The Area is generally flat with a number of isolated knolls scattered inside the Area. The highest point is about 50 metres above Principal Datum (mPD) located near Hang Tau.
- 5.3 The Area is mainly rural in character with flat agricultural land intermixed with a number of recognised villages. The main economic activities have undergone some changes in recent years, i.e. agricultural land has been converted to other land uses. At present, the Area consists of agricultural, informal industrial and open storage uses. Agricultural activities including poultry farming, livestock keeping, pond culture and extensive crop cultivation are mainly found in the central and southern parts of the Area such as Tsiu Keng and Cheung Lek. Agricultural infrastructures such as irrigation facilities and farm access are generally available in the area. The area can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries and hydroponic farms. Some rural workshops are found mainly in the northern part of the Area operating in temporary structures and intermixed with squatter huts. Some areas accessible by road are used for various kinds of storages and open storages.

- 5.4 The main access to the northern part of the Area is via the Castle Peak Road - Kwu Tung section with connections to a number of village access roads penetrating to the inner south of the Area such as Hang Tau Road and Kam Tsin Road. The southern and eastern parts of the Area are accessible by the Fan Kam Road. In general, the whole Area is served by existing van tracks with connections to the main roads.

6. POPULATION

Based on the 2021 Population Census, the population of the Area was estimated by the Planning Department as about 14,200 persons. It is estimated that the total planned population would be about 32,600 persons.

7. OPPORTUNITIES AND CONSTRAINTS

7.1 Opportunities

7.1.1 At present, the Area is connected to other parts of the New Territories by Fan Kam Road and Castle Peak Road. The Feasibility Study for widening of Fan Kam Road has been completed. Subject to availability of resources, future review and confirmation by the authority, the existing 5.5 metres (m) wide single carriageway would be upgraded to a standard 7.3m wide single 2-lane carriageway with 2m wide footpath on both sides where possible with a view to enhancing the safety and traffic efficiency of the road.

7.1.2 The planned Agricultural Park (Agri-Park) to provide about 80 ha farmland is located in the southern part of the Area. The Agri-Park aims to help nurture agro-technology and knowledge on modern farm management. The Agri-Park will be developed in 2 phases. Phase 1 will be developed in a relatively small scale (about 11 ha) with a view to enabling its partial commissioning for use by farmers as early as possible. The construction works of Agri-Park Phase 1 is expected to complete in phases between 2021 and 2024.

7.1.3 Further north across Fanling Highway is the Kwu Tung North New Development Area (NDA). It would be developed as a mixed development node providing medium to high density public and private housing, commercial and research & development uses, as well as land for ecological conservation. Upon full development, the Kwu Tung North NDA will have a total population of about 139,700.

7.2 Constraints

7.2.1 The Area lies outside the Fanling/Sheung Shui New Town and the Kwu Tung North NDA, and those parts of the Area further away from main roads are not readily accessible by vehicles. New roads are required or the existing roads needed to be improved in order to accommodate more intensive developments.

7.2.2 Only limited places in the northern part of the Area are served by public sewers. The Area falls within the Deep Bay catchment area. Depending on the availability of public sewer in the future, the lack of

sewerage infrastructure may pose a constraint to new development in the area. Advice from the Environmental Protection Department (EPD) should be sought in assessing the sewerage implications of the proposed development.

- 7.2.3 Fanling Highway is a busy trunk road which generates severe noise impact and potential vehicular emissions impact to the adjoining residential developments. All residential developments fronting Fanling Highway should have a set-back area to provide an environmental buffer as recommended in the Hong Kong Planning Standards and Guidelines (HKPSG). The reduction in noise level can also be achieved by using noise tolerant or self-protective design buildings or screening structures.
- 7.2.4 Areas close to Sheung Yue River and Tam Shui Hang as well as some village areas are flood prone. Drainage impact assessment (DIA) may be required for some proposed developments.
- 7.2.5 Existing built or natural constraints including permitted burial ground are found in the Area. It is important that the integrity of these areas be maintained where possible.
- 7.2.6 The southern part of the Area is oversailed by a section of the Shatin-Yuen Long 400kV overhead lines. Relevant guidelines in Chapter 7 of the HKPSG regarding building developments in the vicinity of the 400kV overhead lines and safety clearances from these lines should be observed.
- 7.2.7 There is a 10m waterworks reserve (WWR) for the Dongjiang watermain along Fan Kam Road. It is important to ensure proper protection to this Dongjiang watermain and approval from the Director of Water Supplies should be sought for any works, access or development encroaching onto the WWR.

8. GENERAL PLANNING INTENTION

- 8.1 The Area lies outside the Fanling/Sheung Shui New Town and the Kwu Tung North NDA which will be the extension of the above-mentioned New Town. High priority should be accorded to continue development and intensification of residential uses in the New Town areas. In rural areas, development should concentrate on identified residential nodes and village settlements. In considering infrastructure and capacity constraints in the Area, a limited growth on identified area to minimise potential adverse impact on existing settlements would be appropriate.
- 8.2 As reflected in the land use zonings, residential development would generally be contained in areas in close proximity to Fanling Highway. Existing recognised villages are designated for village type development so as to preserve the characters of these villages. Extensive areas in the central and southern parts of the Area are under active cultivation and these areas would be retained for agricultural purpose. Agri-Park is proposed in the southern part of the Area. Areas adjacent to Ki Lun Shan (Hadden Hill) and Hong Kong Golf Club are considered of high recreational and/or landscape values and therefore they will be protected and only limited development would be

considered.

9. LAND USE ZONINGS

9.1 Comprehensive Development Area (“CDA”): Total Area 9.67 ha

9.1.1 This zone is intended for comprehensive development/redevelopment of the area for residential with the provision of open space and other supporting facilities. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.

9.1.2 Pursuant to section 4A(1) of the Ordinance, any development within the “CDA” zone will require approval of the Board by way of a planning application under section 16 of the Ordinance. A Master Layout Plan (MLP) should be submitted in accordance with the requirements as specified in the Notes of the Plan for the approval of the Board pursuant to section 4A(2) of the Ordinance. A copy of the approved MLP will be made available for public inspection in the Land Registry pursuant to section 4A(3) of the Ordinance.

“Comprehensive Development Area (1)” (“CDA(1)”) on Kam Hang Road near Kam Tsin Village

9.1.3 A site with an area of about 3.75 ha on Kam Hang Road near Kam Tsin village, Sheung Shui, is zoned “CDA(1)”. The site is largely vacant with some structures and partly used for open storage use. Located at the north-eastern part of the site is an orchard with mature fruit trees of high amenity and landscape value. It is considered that the orchard should be preserved and any development at the site should not adversely affect the amenity and landscape value of the orchard.

9.1.4 It is the planning intention to encourage comprehensive residential development at this site with the preservation of the existing orchard at the north-eastern part of the site and provision of social welfare facility. Development or redevelopment within this site is subject to a maximum plot ratio of 3 and a maximum building height of 75mPD, or the plot ratio and height of the existing building, whichever is the greater. In order to facilitate provision of Government, institution and community (GIC) facilities, in determining the maximum plot ratio of the development and/or redevelopment, any floor space that is constructed or intended for use solely as GIC facilities, as required by the Government, may be disregarded.

“Comprehensive Development Area (2)” (“CDA(2)”) on Kam Hang Road near Kwu Tung Road

9.1.5 A site with an area of about 2.08 ha located on Kam Hang Road to the east of Kwu Tung Road, Sheung Shui, is zoned “CDA(2)”. The site is partly hard paved and partly occupied by plant nursery, fallow farmland, man-made fish ponds and domestic structures.

- 9.1.6 It is the planning intention to encourage comprehensive residential development at this site with the provision of social welfare facility. Development or redevelopment within this site is subject to a maximum plot ratio of 3 and a maximum building height of 75mPD, or the plot ratio and height of the existing building, whichever is the greater. In order to facilitate provision of GIC facilities, in determining the maximum plot ratio of the development and/or redevelopment, any floor space that is constructed or intended for use solely as GIC facilities, as required by the Government, may be disregarded.

“Comprehensive Development Area (3)” (“CDA(3)”) to the south of Kwu Tung Road and to the west of Hang Tau Road

- 9.1.7 A site with an area of about 1.97 ha located to the south of Kwu Tung Road and to the west of Hang Tau Road is zoned “CDA(3)”. The western boundary of the site encroaches upon a mitigation woodland and wetland maintained by the Agriculture, Fisheries and Conservation Department under the Rural Drainage Rehabilitation Scheme for River Beas. Any development at the site should not adversely affect the ecological, amenity and landscape value of the mitigation woodland and wetland. The applicant should undertake appropriate design and landscape measures, layout arrangement and/or other effective means to minimise the possible ecological impacts generated from the development, particularly glare impact/light pollution, on the mitigation woodland and wetland. If the development would unavoidably affect the existing mitigation woodland and wetland, the applicant should also submit technical assessment(s) including ecological impact assessment and/or compensatory proposal(s) with implementation arrangements such as tree buffer and appropriate blocking layout to minimise the disturbance to the neighbouring habitat. The site abuts Hang Tau Road and is subject to traffic noise impacts and potential vehicular emissions impact as well as other constraints such as inadequate drainage and sewerage facilities.

- 9.1.8 Development or redevelopment within this site is subject to a maximum plot ratio of 2 and a maximum building height of 70mPD, or the plot ratio and height of the existing building, whichever is the greater. The plot ratio control under this zone is regarded as being stipulated in a “new or amended statutory plan” according to the Joint Practice Note No. 4 “Development Control Parameters Plot Ratio/Gross Floor Area”, and shall be subject to the streamlining arrangements stated therein.

“CDA” to the north of Hang Tau fronting Hang Tau Road

- 9.1.9 A site with an area of about 1.87 ha to the north of Hang Tau fronting Hang Tau Road is zoned “CDA”. The site is predominantly vacant whereas the north-eastern part is occupied by some temporary domestic structures. As advised by the Transport Department, future developments in the site should be set back to make allowance for future widening of Hang Tau Road, such as provision of standard footpaths and 7.3m wide single two-way carriageway in accordance with the requirements of HKPSG.

9.1.10 This site is divided into two areas, i.e. Area (a) and Area (b). Area (a) is intended for residential use with the provision of retail facilities and a residential care home for the elderly (RCHE); Area (b) is intended for a separate residential development to facilitate the phased development of the “CDA” zone. Development or redevelopment within Area (a) is subject to a maximum domestic plot ratio of 1.23, a maximum non-domestic plot ratio of 0.18 and a maximum building height of 41mPD, or the plot ratio and height of the existing building, whichever is the greater. The non-domestic plot ratio of 0.18 is for retail facilities and a RCHE to be provided at Area (a). Development within Area (b) is subject to a maximum plot ratio of 1.23 and a maximum building height of 34mPD, or the plot ratio and height of the existing building, whichever is the greater. The plot ratio control under this zone is regarded as being stipulated in a “new or amended statutory plan” according to the Joint Practice Note No. 4 “Development Control Parameters Plot Ratio/Gross Floor Area”, and shall be subject to the streamlining arrangements stated therein.

9.2 Residential (Group B) (“R(B)”) : Total Area 1.02 ha

9.2.1 This zone is intended primarily for sub-urban medium-density residential developments in rural areas where commercial uses serving the residential neighbourhood may be permitted on application to the Board.

9.2.2 A site to the south of Kam Hang Road is zoned “R(B)”. Development or redevelopment within this zone is subject to a total maximum plot ratio of 2.4 and a maximum building height of 72mPD, or the plot ratio and height of the existing building, whichever is the greater. There is a tree group with a large *Ficus microcarpa* (細葉榕) in the southern portion of the site. Efforts should be made to preserve the tree group as far as possible.

9.2.3 The plot ratio control under “R(B)” zone is regarded as being stipulated in a “new or amended statutory plan” according to the Joint Practice Note No. 4 “Development Control Parameters Plot Ratio/Gross Floor Area”, and shall be subject to the streamlining arrangements stated therein.

9.3 Residential (Group C) (“R(C)”): Total Area 47.96 ha

9.3.1 This zone is intended primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board. There are three sites within the “R(C)” zone not yet developed for residential use. The “Residential (Group C)2” (“R(C)2”) site to the east of Hang Tau Road is mainly occupied by temporary domestic structures and temporary industrial use. The “R(C)2” site sandwiched between Fan Kam Road and The Green is mainly occupied by warehouses and repair workshops. The “Residential (Group C)3” site sandwiched between Fan Kam Road and Miami Crescent is mainly vacant and covered by weeds. The other areas zoned “R(C)” mainly reflect the existing residential developments developed based on their approved schemes.

- 9.3.2 Residential sites adjacent to Fanling Highway and Fan Kam Road, as advised by the EPD, would be affected by the traffic noise and potential vehicular emissions impact. In developing these sites, those residential developments fronting Fanling Highway and Fan Kam Road should have a set-back area to provide an environmental buffer as recommended in the HKPSG. Also, developers should be required to incorporate sufficient noise mitigation measures to the satisfaction of concerned Government departments during land exchange and/or lease modification applications.
- 9.3.3 Nine sites near Kwu Tung Road, Kam Tsin Road, Kam Chui Road and Hang Tau Road and three sites at Fan Kam Road near Lin Tong Mei are under this zoning. The plot ratio and site coverage permitted within this zone fall within a range of 0.2 to 0.43 and 10% to 20% respectively. The area zoned “R(C)” is divided into five sub-zones, namely “Residential (Group C)1” to “Residential (Group C)5”. Developments under different sub-areas are subject to specific height control as well as site coverage and plot ratio restrictions as stipulated in the Notes for the “R(C)” zone.

9.4 Residential (Group D) (“R(D)”): Total Area 6.54 ha

- 9.4.1 The planning intention of this zone is primarily to improve and upgrade the existing temporary structures within the rural area through redevelopment of existing temporary structures into permanent buildings. Replacement housing for temporary structures shall not result in a total redevelopment in excess of a maximum building area of 37.2m² and a maximum building height of 2 storeys (6m).
- 9.4.2 Apart from the intention of residential upgrading, low-rise and low-density residential development may be permitted on application to the Board. In keeping with the rural character and low-density developments including village houses in the locality, residential development (other than New Territories Exempted House) shall not result in a total development in excess of a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m). Generally, the applicant has to prove to the Board that the proposed development would be acceptable from traffic, drainage, sewerage and environmental perspectives and will need to submit relevant technical assessments such as Traffic Impact Assessment, DIA, Sewerage Impact Assessment (SIA) and Environmental Assessment for consideration by the Board.
- 9.4.3 An area at Hang Tau Tai Po is zoned “R(D)”. The area is currently occupied by low-rise and low-density domestic uses and vacant dilapidated structures in the eastern and northern portions, unused and vacant land in the central portion, and open storage yards, workshops and warehouses in the western portion. Development including redevelopment for ‘Flat’ and ‘House’ (except ‘New Territories Exempted House’) within “R(D)” zone is subject to a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m).
- 9.4.4 An area to the immediate north of Hang Tau is zoned “Residential (Group D)1” (“R(D)1”). Within “R(D)1”, development including redevelopment for ‘Flat’ and ‘House’ (except ‘New Territories

Exempted House’) is subject to a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m). Any building development shall be located in Area (a) and no building development (except ancillary structures) is permitted in Area (b) which shall be designated as a landscaped area with ancillary car parking and utility installations.

9.5 Village Type Development (“V”): Total Area 43.90 ha

- 9.5.1 The planning intention of this zone is to designate both existing recognised 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 Board. A maximum building height of three storeys (8.23m) or the height of the existing building, whichever is the greater is imposed under this zone.
- 9.5.2 The boundaries of the “V” zones are drawn up having regard to the existing village ‘environs’, outstanding Small House applications, Small House demand forecast, topography and site constraints. Areas of difficult terrain, dense vegetation and streamcourses had been avoided as far as possible. Village expansion areas and other infrastructure improvements will be guided by detailed layout plans whenever applicable.
- 9.5.3 There are seven recognised villages in the Area, namely Kam Tsin, Hang Tau, Tong Kung Leng, Cheung Lek, Lin Tong Mei, Ying Pun and Tsiu Keng (including Tsiu Keng Pang Uk, Tsiu Keng Lo Wai, Tsiu Keng San Wai and Tsiu Keng Chan Uk Po).
- 9.5.4 As filling of pond may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities.

9.6 Government, Institution or Community (“G/IC”): Total Area 8.66 ha

- 9.6.1 This zone is intended primarily for the provision of GIC 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. As detailed planning proceeds, other land may be designated from other uses to this category to meet the envisaged demands of the growing population of the Area.
- 9.6.2 Most of the “G/IC” sites are intended to reflect the existing land uses, such as the Kwu Tung Market, De La Salle Secondary School and the Tsiu Keng Shaft Raw Water Irrigation Pump House. The ex-Lady Ho Tung Welfare Centre (a Grade 2 historic building) has been converted

to an eco-learn institute. The Grade 3 historic building Manor House also falls within this zone. The Antiquities and Monuments Office (AMO) should be consulted on any development proposal which would affect the graded buildings.

9.6.3 A site to the north of Kam Hang Road designated as “Government, Institution or Community (1)” is intended primarily for the provision of a private RCHE with retail shops on the ground floor. Development within this sub-zone is restricted to a maximum building height of 8 storeys (excluding basement), or the height of the existing building, whichever is the greater.

9.7 Open Space (“O”): Total Area 2.43 ha

9.7.1 This zone is intended primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.

9.7.2 Three open space sites are designated on the OZP. The two reserved sites on the north-western part of the planning area are partly covered with trees. Another site located to the immediate west of Kam Tsin Village is intended to provide recreational opportunities to serve the local population.

9.8 Recreation (“REC”): Total Area 34.54 ha

9.8.1 This zone is intended primarily for recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the recreational developments may be permitted subject to planning permission.

9.8.2 The areas which lie in close proximity to the Hong Kong Golf Club have been reserved for such purpose. Recreational uses include active recreation playground and holiday camp with sporting facilities which are always permitted within this zone. Private club would also be considered upon application to the Board on the basis that the proposed development would not be incompatible with the rural character of the neighbourhood. Residential development which should be ancillary to recreational use may be permitted on application subject to the Board’s approval. No residential development shall result in a total development in excess of a maximum plot ratio of 0.2 and a maximum building height of 2 storeys (6m). Generally, the applicant has to demonstrate to the Board that the proposed development would have no or minimal adverse impacts on the environment and infrastructure of the area. However, as part of the “REC” site near Ying Pun falls within the village ‘environs’, provision has been made in the Remarks of the Notes to allow for exemption for development of New Territories Exempted House from these restrictions.

9.8.3 At present, the “REC” site north of the stables of the Hong Kong Jockey Club (the Club) is used as a car park for the Club. Another “REC” site near Ying Pun is dominated by rural industrial workshops.

9.8.4 As filling of pond may cause adverse drainage impacts on the adjacent areas, permission from the Board is required for such activities.

9.9 Agriculture (“AGR”): Total Area 228.23 ha

9.9.1 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. According to the Director of Agriculture, Fisheries and Conservation (DAFC), all the actively cultivated agricultural land and those fallow land with good agricultural infrastructures, such as irrigation facilities and farm access within Kwu Tung South is worthy of preservation, in particular that Kwu Tung South is an important agricultural area in Hong Kong where Agri-Park is also planned and located.

9.9.2 The northern half of the Area around Kam Tsin and Hang Tau is classified as fair agricultural land. The land is largely covered with livestock sheds, squatters and temporary workshops/storage use.

9.9.3 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 agriculture 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.

9.10 Green Belt (“GB”): Total Area 133.83 ha

9.10.1 The 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. The zoned areas include the areas adjacent to the Ki Lun Shan (Hadden Hill), Fuk Tsuen Shan (Fir Hill) and Pak Tai To Yan. The permitted burial ground for indigenous villagers also falls within this zone. A vegetated area with mature woodland on the southern half of the planning area is also designated as “GB”. This piece of land lies between the agricultural land to the north and the potential country park extension to the south and its boundary generally follows the existing footpath. The western fringe of the Area adjacent to Ki Lun Shan, which is a strategically significant conservation area, is also zoned “GB”. Several isolated areas with heavy vegetation cover and trees are also zoned “GB” on the Plan. A large area to the immediate west of the Hong Kong Golf Club is zoned “GB” to avoid further degradation of the area.

9.10.2 Limited developments may be permitted if they are justified on strong planning grounds. Developments requiring planning permission from the Board will be assessed on their individual merits taking into account the relevant Town Planning Board Guidelines.

9.10.3 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.

9.11 For the zones where minor relaxation of relevant restrictions are applicable, based on the individual merits of a development or redevelopment proposal, minor relaxation of plot ratio/building height/site coverage restrictions as stated in the relevant paragraphs above may be considered by the Board on application under section 16 of the Ordinance. Each application will be considered on its own merits.

10. CULTURAL HERITAGE

10.1 There are one declared monument and five graded historic buildings located within the Area. The declared monument is Hau Mei Fung Ancestral Hall at Kam Tsin. The graded historic buildings are Hau Chung Fuk Tong Communal Hall (Grade 2) at Kam Tsin, Main Block and Bungalow of Lady Ho Tung Welfare Centre (both Grade 2) at Kwu Tung, Manor House (Grade 3) at Kwu Tung and Kam Tsin Lodge (Grade 2). The list of declared monuments and graded buildings will be updated from time to time.

10.2 On 19 March 2009, the Antiquities Advisory Board (AAB) released the list of 1,444 buildings, and accorded grading to some buildings/structures. The AAB also released a number of new items pending grading assessment by the AAB. Details of the list of 1,444 buildings and the new items have been uploaded onto the website of the AAB at <https://www.aab.gov.hk/en/historic-buildings/results-of-the-assessment/index.html>.

10.3 Prior consultation with the AMO of Development Bureau should be made, if any works, development, redevelopment or rezoning proposals may affect declared monuments, proposed monuments, historic buildings and sites graded by the AAB, sites of archaeological interest or Government historic sites identified by AMO; the new items mentioned in paragraph 10.2 above; or any other buildings/structures identified with heritage value, both at grade and underground, and their immediate environs. Information of the declared monuments, proposed monuments, historic buildings and sites graded by the AAB, sites of archaeological interest and Government historic sites identified by AMO are available on the website of AMO: <https://www.amo.gov.hk/en/historic-buildings/hia/index.html>.

10.4 A small portion of area with low archaeological potential identified in the approved Environmental Impact Assessment (EIA) report for North East New Territories New Development Areas (Reg. no. AEIAR-175/2013) falls within the Planning Scheme Area. Any development or redevelopment which may affect the area with low archaeological potential should refer to the aforesaid EIA report for the implementation of recommended mitigation measure.

11. COMMUNICATIONS

11.1 Road Network

The existing Fan Kam Road serving the south-eastern section of the Area is sub-standard and will need to be improved. As such, a road reserve of 20m wide has been earmarked on the Plan. Moreover, subject to availability of resources, future review and confirmation by the authority, the existing 5.5m wide single carriageway of Fan Kam Road would be upgraded to a standard 7.3m wide single 2-lane carriageway with 2m wide footpath on both sides where possible with a view to enhancing the safety and traffic efficiency of the road.

11.2 Transport Provision

The area is served by public transport and mini-bus services.

12. UTILITY SERVICES

12.1 Water Supply

Fresh water supply is available to the Area via Kwu Tung Fresh Water Service Reservoir. Temporary mains fresh water for flushing is provided to the Area as supply of seawater for flushing is not available.

12.2 Sewerage and Drainage Systems

Only limited places in the northern part of the Area are served by public sewers. The Area falls within the Deep Bay catchment area. Depending on the availability of public sewer in the future, the lack of sewerage infrastructure may form a constraint to new development in the area. Advice from the EPD should be sought in assessing the sewerage implications of the proposed development. SIAs may be required for some developments. However, there is a plan to provide public sewerage system for Kam Tsin, Tsiu Keng Lo Wai, Tsiu Keng Pang Uk, Tsiu Keng San Wai, Tsiu Keng Chan Uk Po and Ying Pun. The proposed work is subject to local support and fund availability and there is currently no concrete implementation timeline. In the meantime, individual developments will be required to provide on-site sewage treatment facilities and connections to the future sewer (if available) to the satisfaction of concerned Government departments such as the EPD. As for drainage, areas close to Sheung Yue River and Tam Shui Hang as well as some village areas are flood prone. DIAs may be required for some developments.

12.3 Other Public Utility Services

12.3.1 Electricity

The Area is supplied with electricity.

12.3.2 Gas

There is an existing high pressure transmission pipeline along Kam Tsin Road and Kwu Tung Road which is parallel to the existing

Fanling Highway.

12.3.3 Telephone

Telephone services are available in the Area. It is envisaged that there will be no significant problem to provide such services to the new developments.

13. IMPLEMENTATION

- 13.1 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.
- 13.2 The implementation of infrastructure 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.
- 13.3 Notwithstanding the above, minor improvement works, e.g. improvement to road access and laying of utility services, will be implemented through the Public Works Programme and the District Minor Works/Rural Public Works Programmes 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 of 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.
- 14.2 Uses of land or building which were in existence immediately before the first publication in the Gazette of the notice of the IDPA plans 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 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.
- 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 guidelines published by the Board. The outline development plans and 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 application 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 Offices 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 the plan of the Kwu Tung South IDPA and on 5 October 1990 on land included in the plan of the Pat Heung IDPA, 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
MAY 2024**