

DRAFT MAN KAM TO OUTLINE ZONING PLAN NO. S/NE-MKT/5

Amendments

Notes

Schedule of Uses

Explanatory Statement

**SCHEDULE OF AMENDMENTS TO
THE APPROVED MAN KAM TO OUTLINE ZONING PLAN NO. S/NE-MKT/4
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 in Sandy Ridge from “Other Specified Uses” (“OU”) annotated “Cemetery, Columbarium, Crematorium and Funeral Related Uses” to “OU” annotated “Innovation and Technology” (“OU(I&T)”).

II. Amendments to the Notes of the Plan

- (a) Incorporation of a new set of Notes for the “OU(I&T)” zone with development restriction.
- (b) 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.
- (c) Incorporation of ‘Field Study/Education/Visitor Centre’ under Column 2 of the Notes for “V” zone.
- (d) Deletion of ‘Market’ from Column 2 of the Notes for “V” zone.
- (e) Revision of ‘Shop and Services’ to ‘Shop and Services (not elsewhere specified)’ under Column 2 of the Notes for “Government, Institution or Community” zone.
- (f) Revision to the Remarks of the Notes for “Conservation Area” zone on filling of land/pond or excavation of land.

Town Planning Board

13 December 2024

DRAFT MAN KAM TO OUTLINE ZONING PLAN NO. S/NE-MKT/5

(Being a Draft Plan for the Purposes of the Town Planning Ordinance)

NOTES

(N.B. These form part of the Plan)

- (1) These Notes show the uses or developments on land falling within the boundaries of the Plan which are always permitted and which may be permitted by the Town Planning Board, with or without conditions, on application. Where permission from the Town Planning Board for a use or development is required, the application for such permission should be made in a prescribed form. The application shall be addressed to the Secretary of the Town Planning Board, from whom the prescribed application form may be obtained.
- (2) Any use or development which is always permitted or may be permitted in accordance with these Notes must also conform to any other relevant legislation, the conditions of the Government lease concerned, and any other Government requirements, as may be applicable.
- (3) No action is required to make the use of any land or building which was in existence immediately before the first publication in the Gazette of the notice of the draft development permission area plan conform to this Plan, provided such use has continued since it came into existence. Any material change of such use or any other development (except minor alteration and/or modification to the development of the land or building in respect of such use which is always permitted) must be always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board.
- (4) A use or development of any land or building permitted under an earlier draft or approved plan including development permission area plan for the area and effected or undertaken during the effective period of that plan is always permitted under this Plan. Any material change of such use or any other development (except minor alteration and/or modification to the completed development of the land or building which is always permitted) must be always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board.
- (5) Except to the extent that paragraph (3) or (4) applies, any use or development falling within the boundaries of the Plan and also within the boundaries of the draft development permission area plan, unless always permitted in terms of the Plan, shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without permission from the Town Planning Board.
- (6) Except as otherwise specified by the Town Planning Board, when a use or material change of use is effected or a development or redevelopment is undertaken, as always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board, all permissions granted by the Town Planning Board in respect of the site of the use or material change of use or development or redevelopment shall lapse.

- (7) Road junctions, alignment of roads and railway tracks, and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.
- (8) The following uses or developments are always permitted on land falling within the boundaries of the Plan except (a) where the uses or developments are specified in Column 2 of the Notes of individual zones or (b) as provided in paragraph (9) in relation to areas zoned “Conservation Area” :
- (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, railway track, watercourse, nullah, sewer and drain;
 - (d) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities and waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government;
 - (e) rebuilding of New Territories Exempted House;
 - (f) replacement of an existing domestic building, i.e. a domestic building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, by a New Territories Exempted House; and
 - (g) provision, maintenance or repair of a grave of an indigenous New Territories villager or a locally based fisherman and his family members for which permission has been obtained from Government.
- (9) In areas zoned “Conservation Area”,
- (a) the following uses or developments are always permitted:
 - (i) maintenance or repair of plant nursery, amenity planting, sitting out area, rain shelter, refreshment kiosk, road, watercourse, nullah, public utility pipeline, electricity mast, lamp pole, telephone booth, shrine and grave;
 - (ii) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities, waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government; and
 - (iii) provision of amenity planting by Government; and
 - (b) the following uses or developments require permission from the Town Planning Board:

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

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

road, on-street vehicle park and railway track.

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

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

- (b) Except as otherwise provided in paragraph (11)(a) above, and subject to temporary uses for open storage and port back-up purposes which are prohibited in areas zoned "Conservation Area", temporary use or development of any land or building not exceeding a period of three years requires permission from the Town Planning Board. Notwithstanding that the use or development is not provided for in terms of the Plan, the Town Planning Board may grant permission, with or without conditions, for a maximum period of three years, or refuse to grant permission.

- (c) Temporary use or development of land or building exceeding three years requires permission from the Town Planning Board in accordance with the terms of the Plan.

- (12) Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted uses and developments within the same zone are always permitted and no separate permission is required.

- (13) In these Notes, unless the context otherwise requires or unless as expressly provided below, terms used in the Notes shall have the meanings as assigned under section 1A of the Town Planning Ordinance.

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

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

DRAFT MAN KAM TO OUTLINE ZONING PLAN NO. S/NE-MKT/5

Schedule of Uses

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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 Flat Government Use (not elsewhere specified) # Hotel (Holiday House only) House (not elsewhere specified) Institutional Use (not elsewhere specified) # Place of Recreation, Sports or Culture Private Club 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

(Please see next page)

VILLAGE TYPE DEVELOPMENT (Cont'd)

Planning Intention

The planning intention of this zone is to designate both existing recognized villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Town Planning Board.

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 draft development permission area plan, whichever is the greater.
- (b) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (c) Any diversion of streams or filling of pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

GOVERNMENT, INSTITUTION OR COMMUNITY

Column 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 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) Funeral Facility Holiday Camp 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) Off-course Betting Centre Office Petrol Filling Station Place of Entertainment Private Club Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation Residential Institution Sewage Treatment/Screening Plant Shop and Services (not elsewhere specified) Utility Installation for Private Project Zoo

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.

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 Utility Installation Public Vehicle Park (excluding container vehicle) Religious Institution Residential Institution Shop and Services Theme Park Utility Installation for Private Project Zoo

(Please see next page)

RECREATION (Cont'd)

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.

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

OTHER SPECIFIED USES

Column 1
Uses always permitted

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

For "Boundary Crossing Facilities" only

Ambulance Depot
Boundary Crossing Facilities
Eating Place
Fire Station
Government Refuse Collection Point
Petrol Filling Station
Police Station
Public Convenience
Public Transport Terminus or Station
Public Utility Installation
Radar, Navigational Aid, and Communication
Devices
Radar, Telecommunications Electronic
Microwave Repeater, Television and/or
Radio Transmitter Installation
Sewage Treatment/Screening Plant
Shop and Services
Utility Installation for Private Project

Government Use (not elsewhere specified)

Planning Intention

This zone is intended primarily for the development of the boundary crossing facilities.

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

Column 1
Uses always permitted

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

For "Cemetery, Columbarium, Crematorium and Funeral Related Uses" only

Columbarium
Crematorium
Funeral Facility
Government Use
Grave
Public Convenience
Public Transport Terminus or Station
Public Utility Installation

Eating Place
Place of Recreation, Sports or Culture
Religious Institution
Shop and Services
Utility Installation for Private Project

Planning Intention

This zone is intended primarily for the provision of land for cemetery, columbarium, crematorium and funeral related facilities serving the needs of the general public.

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OTHER SPECIFIED USES (Cont'd)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
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For "Innovation and Technology" only

Eating Place	Broadcasting, Television and/or Film Studio
Flat (Staff Quarters only)	Creative Industries
Government Refuse Collection Point	Exhibition or Convention Hall
Government Use	Residential Institution
Information Technology and Telecommunications Industries	
Office	
Public Convenience	
Public Utility Installation	
Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation	
Research, Design and Development Centre	
Shop and Services	
Training Centre	
Utility Installation for Private Project	

Planning Intention

This zone is intended primarily to provide development space for data centres and related purposes.

Remarks

- (a) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum building height of 115 metres above Principal Datum, or the height of the existing building, 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.

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OTHER SPECIFIED USES (Cont'd)

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

Railway Track

Government Refuse Collection Point
Government Use (not elsewhere specified)
Public Utility Installation
Utility Installation for Private Project

Planning Intention

This zone is intended primarily to provide land for the railway track of the Mass Transit Railway (East Rail Line).

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.

Remarks

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

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

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 Firing Range Flat 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 Zoo

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GREEN BELT (Cont'd)

Planning Intention

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

Remarks

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

CONSERVATION AREA

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use (Fish Pond Culture Only) Nature Reserve On-Farm Domestic Structure Wetland Habitat Wild Animals Protection Area	Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) House (Redevelopment only) Nature Trail Public Convenience Public Utility Installation Utility Installation for Private Project

Planning Intention

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

Remarks

- (a) No redevelopment, including alteration and/or modification, of an existing house shall result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan.
- (b) Any diversion of streams, filling of land/pond or excavation of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works coordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

DRAFT MAN KAM TO OUTLINE ZONING PLAN NO. S/NE-MKT/5

EXPLANATORY STATEMENT

DRAFT MAN KAM TO OUTLINE ZONING PLAN NO. S/NE-MKT/5

EXPLANATORY STATEMENT

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DRAFT MAN KAM TO OUTLINE ZONING PLAN NO. S/NE-MKT/5

(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 Man Kam To Outline Zoning Plan (OZP) No. S/NE-MKT/5. It reflects the planning intention and objectives of the Town Planning Board (the Board) for various land use zonings of the Plan.

2. AUTHORITY FOR THE PLAN AND PROCEDURE

- 2.1 On 10 September 2004, under the power delegated by the Chief Executive (CE), the then Secretary for Housing, Planning and Lands directed the Board, under section 3(1)(b) of the Town Planning Ordinance (the Ordinance), to prepare a draft plan designating the Man Kam To area as a development permission area (DPA). Subsequently on 17 June 2010, the Secretary for Development (SDEV) directed the Board to extend the coverage of the draft DPA plan.
- 2.2 On 30 July 2010, the draft Man Kam To DPA Plan No. DPA/NE-MKT/1 was exhibited for public inspection under section 5 of the Ordinance. The DPA Plan was subsequently amended and exhibited for public inspection under section 7 of the Ordinance.
- 2.3 On 8 May 2012, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Man Kam To DPA Plan, which was subsequently re-numbered as DPA/NE-MKT/3. On 18 May 2012, the approved Man Kam To DPA Plan No. DPA/NE-MKT/3 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.4 On 8 February 2013, under the power delegated by the CE, the SDEV directed the Board, under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the Man Kam To area.
- 2.5 On 19 July 2013, the draft Man Kam To OZP No. S/NE-MKT/1 was exhibited for public inspection under section 5 of the Ordinance. On 3 June 2014, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Man Kam To OZP, which was subsequently renumbered as S/NE-MKT/2. On 13 June 2014, the approved Man Kam To OZP No. S/NE-MKT/2 was exhibited for public inspection under section 9(5) of the Ordinance.

- 2.6 On 7 February 2017, the CE in C, under section 12(1)(b)(ii) of the Ordinance, referred the approved Man Kam To OZP No. S/NE-MKT/2 to the Board for amendment. The OZP was subsequently amended once and exhibited for public inspection under section 5 of the Ordinance.
- 2.7 On 5 December 2017, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Man Kam To OZP, which was subsequently renumbered as S/NE-MKT/4. On 15 December 2017, the approved Man Kam To OZP No. S/NE-MKT/4 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.8 On 8 March 2024, the SDEV referred the approved Man Kam To OZP No. S/NE-MKT/4 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 15 March 2024 under section 12(2) of the Ordinance.
- 2.9 On 13 December 2024, the draft Man Kam To OZP No. S/NE-MKT/5 (the Plan), incorporating amendments mainly to rezone an area at Sandy Ridge from “Other Specified Uses” (“OU”) annotated “Cemetery, Columbarium, Crematorium and Funeral Related Uses” to “OU” annotated “Innovation and Technology”, was exhibited for public inspection under section 5 of the Ordinance.

3. OBJECT OF THE PLAN

- 3.1 The object of the Plan is to indicate the broad land use zonings for the Man Kam To area (the Area) so that development and redevelopment within the Area can be put under statutory planning control. It also provides the planning framework for preparing more detailed non-statutory plans which form the basis for public works planning and site reservation for various uses.
- 3.2 The Plan is to illustrate the broad principles of development and planning control only. It is a small-scale plan and the road alignments and boundaries between the land use zones may be subject to minor alterations as detailed planning proceeds.

4. 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 and in particular zones and which may be permitted by the Board, with or without conditions, on application. The provision for application for planning permission under section 16 of the Ordinance allows greater flexibility in land use planning and control of development to meet changing needs.
- 4.2 For the guidance of the general public, a set of definitions that explains some of the terms used in the Notes may be obtained from the Technical Services Division of the Planning Department and can be downloaded from the Board’s website at <http://www.info.gov.hk/tpb>.

5. THE PLANNING SCHEME AREA

- 5.1 The Planning Scheme Area covers a total area of about 344 hectares. It is located approximately 3.5 km to the north of Fanling/Sheung Shui. It is bounded by the southern bank of Shenzhen River in the north, Ping Che Road in the east, Hung Lung Hang in the southeast, Lo Wu Station Road in the southwest and Ng Tung River in the west. The boundary of the Area is shown by a heavy broken line on the Plan.
- 5.2 The Area commands the cross boundary location in the northernmost rural area of the North District. Except Shenzhen City (Shenzhen Shi) which lies immediately outside the Hong Kong Special Administrative Region (HKSAR) in the north, the surroundings are predominantly agricultural land spotted with rural settlements. The elongated Sandy Ridge with an elevation up to about 130 metres above Principal Datum (mPD) in the west is the prominent mountain ridge in the Area. The hilly ridge of Lo Shue Ling is located in the east which rises to about 85 mPD lying in a north-south direction. The extensive lowlands mainly comprise arable land intermixed with clusters of village settlements, undisturbed woodland, vegetated habitats and natural watercourses.
- 5.3 The landscape features of the Area are woodlands, vegetated uplands, knolls and foothills. It covers a spectrum of natural habitats including large tracts of mature woodland, 'fung-shui' wood, freshwater/brackish wetland, lowland forest, mixed shrubland and natural watercourse.
- 5.4 Economic activities are limited in the Area due to its rugged relief and limited accessibility of the Area. People therein are mainly engaged in horticultural and agricultural activities including growing of vegetables, flowers and fruits. The farming activities are of small-scale and most farmers are self-employed.
- 5.5 Graded historic buildings within the Area include MacIntosh Forts at Nam Hang and Nga Yiu (both Grade 2), Tin Hau Temple in Muk Wu Tsuen (Grade 3), Entrance Gate of Muk Wu Wai (Grade 3), Ng Ancestral Hall and Yeung Ancestral Hall in Fung Wong Wu (both Grade 3). Muk Wu Nga Yiu Kilns Site of Archaeological Interest also falls within the Area. Muk Wu and Fung Wong Wu villages contain some new items in addition to the list of 1,444 historic buildings. These items are subject to the grading assessment by the Antiquities Advisory Board (AAB).

6. POPULATION

Based on the 2021 Population Census, the population of the Area was estimated by the Planning Department as about 800 persons. It is estimated that the planned population of the Area would be about 2,100 persons.

7. OPPORTUNITIES AND CONSTRAINTS

7.1 Opportunities

7.1.1 Northern Metropolis Action Agenda (NMAA)

The Area generally falls within the Boundary Commerce and Industry Zone under the Northern Metropolis Action Agenda promulgated in 2023. Two boundary control points (BCPs), namely Lo Wu and Man Kam To, are located within the Area, which have good potential for developments to meet the need for cross-boundary services, and complement the emerging industries in the New Territories North (NTN) New Town as well as the innovation and technology industries in San Tin Technopole.

7.1.2 Accessibility

Access through the central and eastern portions of the Area is reasonably good along Man Kam To Road and Ping Che Road. Lin Ma Hang Road also provides convenient access to the northeastern portions of the Areas to the villages of Muk Wu and Muk Wu Nga Yiu and links with Ping Che Road. In addition, the Area is easily accessible from Fanling/Sheung Shui via Man Kam To Road, and from the Fanling North New Development Area (NDA) and Ping Che/Ta Kwu Ling via Man Kam To Road and Ping Che Road respectively. There are also strategic transport infrastructures proposed under the NMAA such as the Northern Link Eastern Extension and Northern Metropolis Highway (NTN New Town Section), which may run near the Area. The good accessibility could provide opportunities for enhanced development in the Area.

7.1.3 Tourism

The Area is scenically attractive with green environment. The villages are relatively unspoiled and retain much of their traditional character. Such setting provides a wide array of unique and attractive tourism opportunities. The strategic roles of the Area for countryside conservation and agricultural priority are recognized whereas recreational development could be allowed without compromising the conservation resources. There is also good recreational for cultural heritage and eco-tourism. Provision of tourism and recreational related developments such as well connected hiking trails, cycle tracks, dining and overnight accommodation facilities would be required so as to realize this tourism potential.

7.1.4 Agricultural

The relatively flat land in the eastern portion of the Area has been identified as good agricultural land which provides an opportunity for sustainable agriculture and to accommodate the growing demand for organic and healthier food options. On the other hand, with basic agricultural infrastructure, including irrigation facilities, the other fallow arable land can be easily rehabilitated for agricultural purpose. The traditional agricultural land uses can be enhanced with the diversification of permitted uses,

including extension to agri-tourism and other leisure or recreational uses associated with the agricultural sector.

7.1.5 Nature Conservation

The Area comprises large tracts of dense and undisturbed woodlands around the hilly slopes of Sandy Ridge and Lo Shue Ling, freshwater/brackish wetland around some of the watercourses in the Area and 'fung-shui' woodland of high scenic value. The natural vegetation together with the rugged topographic backdrop provides a picturesque landscape forming an integral part of the natural environment that should be conserved. Future development of the Area would need to take into account the area's ecological resources including a small patch of land at Yuen Leng Chai near the foothill of Sandy Ridge and west of McIntosh Fort at Nam Hang where existing mitigation habitats and wetlands are found. Prior consultation with relevant Government departments should be sought if development proposal would affect these sites.

7.2 Constraints

7.2.1 Geotechnical Aspect

- (a) A majority of the Area, especially the western part, is characterized by relatively steep mountains and natural hilly terrain. There is a history of landslides on the natural slopes in the areas near Sandy Ridge and Lo Shue Ling. Such topographic relief imposes geological constraints on development. Due consideration and geotechnical assessment study would be required for any proposed developments involving site formation and slope stabilization works.
- (b) There are existing geotechnical features that could affect or be affected by development/redevelopment within the area. Upon development/redevelopment, the stability of these geotechnical features should be assessed and, if necessary, upgraded to the current safety standards.

7.2.2 Limited Transport Infrastructure

All vehicular accesses currently are of a limited capacity and not intended for heavy traffic. Due to the limited transport infrastructure in the Area, unco-ordinated development would create problems and hazards to both pedestrian and vehicular traffic. Improvements to transport facilities are required in future.

7.2.3 Land Ownership

About 22% of land in the Area is private land. A majority of these private land are concentrated in the lowland in the eastern portion of the Area which are mainly active/fallow agricultural land and village settlements.

7.2.4 Cemetery and Burial Grounds

Sandy Ridge Cemetery, with an area of about 81 ha, may pose constraints on development in the surrounding area. Besides, the permitted burial grounds for indigenous villagers located in existing hilly areas have to be retained. Any development that will adversely affect those permitted burial grounds should be avoided.

7.2.5 Environmental, Sewerage and Drainage Constraints

There are a number of potential noise and air pollution sources within the Area including San Uk Ling Firing Range, Lo Wu MTR Station, the two helipads at Sandy Ridge and near Man Kam To Operational Base, Muk Wu Nga Yiu cement plant, Man Kam To BCP, vehicle holding area and Man Kam To Road, Lin Ma Hang Road and Ping Che Road; as well as a number of potential odorous sources which would affect the future developments in the Area, i.e. Shenzhen River, the planned Organic Waste Treatment Facilities Phase II, Sheung Shui Water Treatment Works, Shek Wu Hui Sewerage Treatment Works, Sheung Shui Slaughter House and existing livestock farms. The Area falls within the Deep Bay catchment, therefore, any new developments in the Area should include proper on-site sewage treatment facilities or be connected to public sewer to ensure no additional pollution loading to Deep Bay. The lowland areas near Shenzhen River in the north and the floodplains of Ping Yuen River in the east are prone to flooding and underlain by alluvial and colluvial soils and pond deposits. Such deposits are typically saturated and require soil treatments and earth filling for any development to take place.

7.2.6 Overhead Transmission Lines

There are two 400 kV overhead lines (including Tai Po – Daya Bay overhead line circuit) extending over Lo Shue Ling running north-south across the eastern portion of the Area. Also, there are 132 kV overhead lines passing through in a north-south direction. Chapter 7 of the Hong Kong Planning Standards and Guidelines should be observed when formulating development proposals.

7.2.7 Heritage and Cultural Features

The two Grade 2 historic buildings, i.e. MacIntosh Forts at Nam Hang and Nga Yiu, are located on the hilltops at the western and eastern portions of the Area overlooking the border area. The forts were two of the chain of police observation posts built during the period 1949 to 1953. They remain as a reminder of the development of Hong Kong's military defence. There are seven Grade 3 historic buildings located in the Area, i.e. Village house, No. 19 Muk Wu, Tin Hau Temple in Muk Wu Tsuen, Entrance Gate of Muk Wu Wai, Ng Ancestral Hall and Yeung Ancestral Hall in Fung Wong Wu, Village houses, Nos. 24-25 Fung Wong Wu and Village houses, Nos. 35-37, Fung Wong Wu. In addition, Muk Wu Nga Yiu Kilns Site of Archaeological Interest is archaeological heritage in the Area.

8. GENERAL PLANNING INTENTION

The general planning intention of the Area is to promote cultural conservation, recreation tourism and provide suitable facilities to meet the territorial need and cross-boundary infrastructure. It is also the planning intention to retain good quality agricultural land for agricultural purposes or leisure farming and to preserve the existing heritage features and historic buildings.

9. LAND USE ZONINGS

9.1 “Village Type Development” (“V”) : Total Area 27.62 ha

9.1.1 The planning intention of this zone is to designate both existing recognized villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructure 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 (NTEH). Other commercial, community and recreational uses may be permitted on application to the Board. In order to provide opportunities for short-term accommodation in existing NTEH, “Hotel (Holiday House only)” may also be permitted on application to the Board. The accommodation can complement any proposed agricultural and recreational uses to promote village life experience, leisure farming and agri-tourism.

9.1.2 There are four recognized villages within the Area, namely Muk Wu, Muk Wu Nga Yiu, Chow Tin Tsuen and Fung Wong Wu. The boundaries of “V” zones are drawn up having regard to the existing village ‘environs’, outstanding Small House applications, Small House demand forecast, local topography, existing settlement pattern, ecologically important areas and other site specific characteristics. Areas of difficult terrain, dense vegetation, burial grounds and stream courses have been avoided where possible. As parts of the villages may be subject to traffic noise impact from Lin Ma Hang Road and Ping Che Road, sufficient setback should be allowed where possible.

9.1.3 Except for those specified, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23 m) or the height of the building which was in existence on the date of first publication in the Gazette of the notice of the draft DPA plan, whichever is the greater.

9.1.4 In order to address the potential impacts from developments on existing stream courses in general, concerned departments including Agriculture, Fisheries and Conservation Department and Planning Department should be

consulted when processing Small House grant and applications in close proximity to existing stream courses, to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.

9.1.5 As diversion of streams or filling of pond may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.

9.1.6 Part of the area under this zoning falls on Muk Wu Nga Yiu Kilns Site of Archaeological Interest. Prior consultation with Antiquities and Monuments Office (AMO) of Development Bureau should be made if any development, redevelopment or rezoning proposals might affect the above site of archaeological interest and their immediate environs.

9.2 “Government, Institution or Community” (“G/IC”) : Total Area 11.28 ha

9.2.1 This zone is intended primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.

9.2.2 Major existing facilities under this zoning include Ling Ying Public School, two Water Supplies Department’s pumping stations at Muk Wu and River Ganges, Hong Kong Police Force (HKPF) Man Kam To Operation Base, MacIntosh Forts at Nam Hang and Nga Yiu, a livestock monitoring station, an animal inspection station and food inspection facilities at Man Kam To BCP. Two disused schools, i.e. ex-Sam Wo Public School at Lin Ma Hang Road near Muk Wu and ex-Lo Wu Public School, are also zoned “G/IC”, which can be put to adaptive re-use for other GIC uses, including farmland rehabilitation and organic farm centre to promote eco-tourism. As detailed planning proceeds, land may be designated from other uses to this zoning to meet the envisaged demands of the growing population in the Area.

9.2.3 The MacIntosh Forts are located within Government land and currently occupied by radio and communication equipment for the use of HKPF. The “G/IC” zone is to reflect their current use. Given their historic building status, they are worthy of preservation. According to the Northern Metropolis Development Strategy (NMDS), these two MacIntosh Forts, together with five others in other districts, are chosen to be opened up with provision of viewing facilities. Relevant Government departments would be consulted on any adaptive re-use proposal of them.

9.3 “Recreation” (“REC”) : Total Area 16.68 ha

9.3.1 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.

- 9.3.2 An area to the north of Ping Yuen River around Ta Kwu Ling Village and a small area to the east of Fung Wong Wu are designated as “REC” zone in view of the existing extensive abandoned agricultural land adjoining traditional villages that may have opportunities to create visitor destinations that celebrate the heritage, village-life, agricultural and recreational assets of the area. Any potential adverse impacts on drainage, landscape and ecology that might be caused by new developments, of which planning permission is required from the Board, should be addressed by the applicant and examined by concerned Government departments during planning application stage.
- 9.3.3 As the area around Ta Kwu Ling Village may be subject to traffic noise impact from Lin Ma Hang Road and Ping Che Road, sufficient setback should be allowed for any planned sensitive uses from these potential polluting sources. Suitable noise mitigation measures such as self-protective building design, noise barriers, etc. would be required.
- 9.3.4 Recreational uses like holiday camp with sporting facilities are always permitted within this zone. It is intended to provide low-intensity recreational uses such as horse riding school, visitor centre, local historical museum, camping ground, recreational facilities or adventure park that are primarily outdoor nature-based activities. The recreational areas are intended to integrate with other recreational facilities such as the hiking/heritage/bicycle trails promoting low-intensity tourism while preserving natural and rural character. However, the recreational development in this area should be restricted to low-intensity development so as not to overload the infrastructure of the area.
- 9.3.5 No residential development (except NTEH) shall result in a total development in excess of a maximum plot ratio of 0.2 and a maximum building height of 2 storeys.
- 9.3.6 As diversion of streams or filling of pond may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.
- 9.4 “Other Specified Uses” (“OU”) : Total Area 108.96 ha

The planning intention of this zone is to provide land for specific uses in the Area. This zone covers land annotated for the following specific uses:

“OU (Boundary Crossing Facilities)” (“OU(BCF)”) : Total Area 10.15 ha

- 9.4.1 This zone is intended primarily for the development of boundary crossing facilities. The existing Lo Wu and Man Kam To BCPs are designated under this zone. Uses that are related to boundary crossing facilities are permitted under this zone.

“OU (Cemetery, Columbarium, Crematorium and Funeral Related Uses)”: Total Area 81.49 ha

9.4.2 This zone is intended primarily for the provision of land for cemetery and related uses. The existing Sandy Ridge Cemetery is included under this zone.

“OU (Innovation and Technology)” (“OU(I&T)”) : Total Area 10.59 ha

9.4.3 This zone is primarily intended to provide development space for data centres and related purposes. A site, situated to the north of Man Kam To Road and southeast of Yuen Leng Chai and MacIntosh Fort (Nam Hang), at Sandy Ridge within the Northern Metropolis, near Lo Wu is zoned “OU(I&T)”. It is intended to be developed as a data park for data centres and related uses.

9.4.4 An Engineering Feasibility Study (EFS) has been conducted and demonstrated that the proposed data centre and related uses with a maximum Gross Floor Area (GFA) of 250,000m² and a maximum building height of 115mPD is technically feasible at the site. Further increase in GFA would be subject to confirmation of the technical feasibility at the detailed design stage.

9.4.5 The development parameters and layout for individual land parcel(s) will be subject to detailed design by the future project proponent(s). Necessary restrictions may be imposed through relevant statutory and/or administrative control in order to ensure the development is under proper control.

“OU (Railway)” : Total Area 6.73 ha

9.4.6 A strip of land to the east of Ng Tung River is zoned “OU(Railway)” primarily for the railway track of the Mass Transit Railway (East Rail Line). The remaining railway alignment within the other zone is either elevated or at grade.

9.5 “Agriculture” (“AGR”) : Total Area 59.73 ha

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

9.5.2 Majority of the agricultural land of good quality are found in lowland areas in the west and central parts of the Area. Also, parcels of agriculture land along Lin Ma Hang Road have been converted to aquarium business. With basic agricultural infrastructure, including irrigation facilities, fallow arable land can be easily rehabilitated for agricultural purpose. On the other hand, the agricultural land around villages has the potential to provide low-intensity leisure farming or organic farming to promote village life experience.

9.5.3 The “AGR” zones near Muk Wu (along Lin Ma Hang Road) and near Lo Shue Ling (southwest of Chow Tin Tsuen) are surrounded by active and fallow agricultural land and are located in a rural setting, despite sporadic sites along

Lin Ma Hang Road near San Uk Ling which are currently used for open storage. It is considered that these areas are not suitable for uses that would cause adverse environmental and traffic impacts such as warehouse or port back-up uses.

- 9.5.4 As diversion of streams or 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 for genuine agricultural practice including laying of soil not exceeding 1.2m in thickness for cultivation, and construction of agricultural structure with prior written approval from the Lands Department is exempted from the control.
- 9.5.5 Part of the area under this zone falls on Muk Wu Nga Yiu Kilns Site of Archaeological Interest. Prior consultation with AMO should be made if any development, redevelopment or rezoning proposals might affect the above site of archaeological interest and its immediate environs.
- 9.6 “Green Belt” (“GB”) : Total Area 107.35 ha
- 9.6.1 The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.
- 9.6.2 However, 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.
- 9.6.3 The “GB” zone mainly covers the mountainous areas west of the boundary crossing at Man Kam To and in Lo Shue Ling in the east, the densely vegetated areas which include fung-shui woodlands that are mainly scattered around the village settlements including Chow Tin Tsuen and Muk Wu and the permitted burial grounds for indigenous villagers. The fung-shui woodlands near Chow Tin Tsuen and Muk Wu are zoned “GB” due to their low to moderate ecological value, with low plant diversity and high susceptibility to human disturbance.
- 9.6.4 As diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.
- 9.7 “Conservation Area” (“CA”) : Total Area 4.24 ha
- 9.7.1 The planning intention of this zone is to conserve the ecological value of wetland and fish ponds which form an integral part of the wetland ecosystem. The “no-net-loss in wetland” principle is adopted for any change in use within this zone. The primary intention is to discourage new development unless it is required to support the conservation of the ecological integrity of the wetland ecosystem or the development is an essential infrastructure project with overriding public interest.

- 9.7.2 A small patch of land at Yuen Leng Chai near the foothill of Sandy Ridge and west of MacIntosh Fort at Nam Hang is occupied by existing mitigation habitats and wetlands and is zoned “CA”. The fish ponds were created as an ecological mitigation area associated with the previous Shenzhen River regulation works. The “CA” zone will provide appropriate protection to the fishpond/wetland habitat at the site.
- 9.7.3 New residential development is not permitted under this zone. The redevelopment of an existing house shall not result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication of the draft DPA plan.
- 9.7.4 Diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activities.
- 9.8 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 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. COMMUNICATIONS

10.1 Road Network

Man Kam To Road and Lin Ma Hang Road are the major distributors in the Area. Currently, the capacity of these vehicular accesses is considered adequate to serve the Area. The Area is also served by Ping Che Road and Lo Wu Station Road leading from the southern area. There are also narrow local van tracks traversing the Area to serve the residents, especially the clustered population at Muk Wu, Chow Tin Tsuen and Fung Wong Wu.

10.2 Mass Transit Railway

Lo Wu, situated at the western part of the Area, is served by the Mass Transit Railway (East Rail Line) which provides an important transport link to Kowloon as well as between the HKSAR and the Mainland.

10.3 Public Transport

The Area is not well served by public transport facilities due to its remoteness and sparse population. There are public franchised bus (No. 73K) and green minibuses (No. 59K and 59S) plying between Man Kam To Road and Sheung Shui MTR Station. To cope with the future developments in the Area, the public transport arrangements shall be reviewed under the respective Traffic and Transport Impact Assessment (TTIA) study.

11. UTILITY SERVICES

11.1 Sewerage and Drainage System

11.1.1 The drainage system of the Area comprises mainly natural channels. The runoff from developments can be conveyed to Shenzhen River through west tributary of Ping Yuen River. Drainage system of the Area was improved by the river training works at Ping Yuen River which were completed in 2006. Drainage improvement works at Sandy Ridge under 'Drainage Improvement in Northern New Territories - Package B' were implemented in 2011. Notwithstanding, major developments should be subject to Drainage Impact Assessment to address the local drainage impacts on areas in the vicinity, as well as the provision of proper drainage facilities for development such as detention tanks.

11.1.2 The Area falls within the Deep Bay catchment and therefore no additional pollution loading should be discharged into the Deep Bay as a result of any new and proposed developments. Sewer upgrading and village sewerage improvement works in part of the Area are being planned/carried out by the Government. Subject to the availability of public sewerage system, the inadequacies of sewerage infrastructure may form a constraint to new development in the area. Advice from the Environmental Protection Department and Drainage Services Department should be sought in assessing the sewerage implications of the proposed development. For the developments at locations where public sewerage is not available, on-site sewage treatment facilities are required.

11.2 Water Supply

11.2.1 Potable water supply is generally available in the Area. The Area is served by Ping Che and Table Hill Fresh Water Service Reservoirs which are outside the Area. Currently, temporary mains fresh water is use for flushing as supply of seawater for flushing is not available. Upgrading of existing water supply system will be required for new developments. On the other hand, part of the Area falls within the consultation zone of Sheung Shui Water Treatment Works and this will form a constraint to new developments in the southern part of the Area.

11.2.2 Donjiang water transfer facilities including Muk Wu raw water pumping stations and various sizes of Donjiang water mains are located within the Area. Advice from the Water Supplies Department should be sought in protecting these waterworks facilities.

11.3 Other Public Utility Services

11.3.1 Solid waste disposal relies on small refuse collection points scattered throughout the Area. Collected wastes are transported to the North East New Territories Landfill for disposal.

- 11.3.2 Electricity supply and telephone networks are available in the Area. There are existing 400kV overhead lines passing through Lo Shue Ling at the eastern part of the Area. There is however no existing piped gas system in the Area.

12. CULTURAL HERITAGE

- 12.1 Within the Area, there are two Grade 2 historic buildings, i.e. MacIntosh Forts at Nam Hang and Nga Yiu; and seven Grade 3 historic buildings, i.e. Village House, No. 19 Muk Wu, Tin Hau Temple in Muk Wu Tsuen, Entrance Gate of Muk Wu Wai, Ng Ancestral Hall and Yeung Ancestral Hall in Fung Wong Wu, Village houses, Nos. 24-25 Fung Wong Wu and Village houses, Nos. 35-37, Fong Wong Wu. The list of graded buildings will be updated from time to time.
- 12.2 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 list 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>.
- 12.3 Muk Wu Nga Yiu Kilns Site of Archaeological Interest is also situated in the Area.
- 12.4 Prior consultation with the AMO should be made, if any works, development, redevelopment or rezoning proposals may affect declared monuments, proposed monuments, historic buildings, and sites graded by AAB, sites of archaeological interest or Government historic sites identified by AMO; the new items mentioned in paragraph 12.2 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/heritage-sites-lists/index.html>.

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 At present, there is no definite programme for the provision of comprehensive infrastructure within the Area. The implementation process will be gradual and may stretch over a long period of time depending on the availability of resources. It will be undertaken through the participation of both the public and private sectors.
- 13.3 Notwithstanding the above, minor improvement works e.g. widening of access road and laying of utility services will be implemented through the Public Works Programme and the Rural Public Works as and when resources are available.

Private developments will be effected principally through private sector initiatives to develop or redevelop their properties in accordance with the zoned uses indicated on the Plan, provided that their proposals meet Government requirements.

14. PLANNING CONTROL

- 14.1 The types of permitted developments and uses on land within the Area are listed in the Notes to the Plan. Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted developments and uses within the same zone are always permitted and no separate permission is required.
- 14.2 Uses of land or building which were in existence immediately before the first publication in the Gazette of the notice of the draft DPA plan and which are not in compliance with the terms of the Plan may have adverse impact on the environment, drainage and traffic of the area. Although no action is required to make such use conform to the Plan, any material change of such use or any other development (except minor alteration and/or modification to the development of the land or building in respect of such use which is always permitted) must be always permitted in terms of the Plan or, if permission is required, in accordance with a permission granted by the Board. The Board will consider these applications on their individual merits. Those alteration and/or modification works which may lead to an environmental improvement or upgrading to the Area may be considered favourably by the Board.
- 14.3 Planning applications to the Board will be assessed on individual merits. In general, the Board, in considering planning applications, will take into account all relevant planning considerations including guidelines published by the Board. Guidelines published by the Board are available from the Board's website, the Secretariat of the Board and the Technical Services Division of the Planning Department. Application forms and Guidance Notes for planning application can be downloaded from the Board's website and are available from the Secretariat of the Board, the Technical Services Division and the relevant District Planning Office of the Planning Department. Applications should be supported by such materials as the Board thinks appropriate to enable it to consider the applications.
- 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 land included in this Plan on or after the date of the first publication in the Gazette of the notice of the draft DPA plan may be subject to enforcement proceedings under the Ordinance. Any filling of land/pond, excavation of land or diversion of streams in the relevant zones on or after the date of the first publication in the Gazette of the notice of the draft DPA plan without permission from the Board may also be subject to enforcement proceedings. Moreover, there is a presumption against filling of ponds for temporary land uses/developments in conservation related zonings, such as "CA".