

**DRAFT NAM SANG WAI OUTLINE ZONING PLAN NO. S/YL-NSW/9**

Amendments

Notes

Schedule of Uses

Explanatory Statement

**SCHEDULE OF AMENDMENTS TO  
THE APPROVED NAM SANG WAI OUTLINE ZONING PLAN NO. S/YL-NSW/8  
MADE BY THE TOWN PLANNING BOARD  
UNDER THE TOWN PLANNING ORDINANCE (Chapter 131)**

**I. Amendments to Matters shown on the Plan**

- Item A1 – Rezoning of a site to the north of Ho Chau Road from “Residential (Group D)” (“R(D)”) to “Residential (Group A)1” with stipulation of building height restriction.
- Item A2 – Rezoning of a site to the north of Ho Chau Road from “R(D)” to “Residential (Group A)2” with stipulation of building height restriction.
- Item B – Rezoning of a site to the north of Ho Chau Road from “R(D)” to “Other Specified Uses” (“OU”) annotated “Pumping Station”.
- Item C – Rezoning of a strip of land to the north of Ho Chau Road from “R(D)” to “Village Type Development” (“V”).
- Item D – Rezoning of a knoll to the north of Ho Chau Road from “R(D)” to “Green Belt”.
- Item E – Rezoning of a site at Wing Kei Tsuen from “OU” annotated “Comprehensive Development to Include Wetland Restoration Area” (“OU(CDWRA)”) to “OU” annotated “Comprehensive Development to Include Wetland Restoration Area 1” (“OU(CDWRA)1”) with stipulation of building height restriction.

**II. Amendments to the Notes of the Plan**

- (a) Incorporation of a new set of Notes for “Residential (Group A)” zone with development restrictions.
- (b) Deletion of ‘Market’ from Column 2 of the Notes for “R(D)” and “V” zones.
- (c) Incorporation of ‘Government Refuse Collection Point’ and ‘Public Convenience’ under Column 1 of the Notes for “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’ and ‘Hotel (Holiday House only)’ under 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” (“G/IC”) zone.
- (f) Incorporation of ‘Zoo’ under Column 2 of the Notes for “G/IC” zone.
- (g) Revision to Notes for “G/IC” and “OU” annotated “Comprehensive Development and Wetland Enhancement Area” (“OU(CDWEA)”) zones on planning intention.

- (h) Revision to the Remarks of the Notes for “OU(CDWEA)”, “OU(CDWRA)” and “Conservation Area” zones on filling of land/pond and excavation of land clause in accordance with the Master Schedule of Notes to Statutory Plans.
- (i) Revision to the Remarks of the Notes for “OU(CDWRA)” zone to incorporate development restrictions for “OU(CDWRA)1” sub-zone.

Town Planning Board

12 July 2024

Draft Nam Sang Wai Outline Zoning Plan No. S/YL-NSW/9

(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 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 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 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 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” or “Other Specified Uses” annotated “Comprehensive Development and Wetland Enhancement 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 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 areas zoned “Conservation Area” or “Other Specified Uses” annotated “Comprehensive Development and Wetland Enhancement 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, toll plaza, on-street vehicle park, railway station and railway track.

- (11) (a) Except in areas zoned "Conservation Area" or "Other Specified Uses" annotated "Comprehensive Development and Wetland Enhancement 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 (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 (11)(a) above, and subject to temporary uses for open storage and port back-up purposes which are prohibited in areas zoned "Conservation Area" or "Other Specified Uses" annotated "Comprehensive Development and Wetland Enhancement 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 the "Undetermined" zone, all uses or developments except those specified in paragraphs (8) and (11)(a) above require permission from the Town Planning Board.

- (14) 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 NAM SANG WAI OUTLINE ZONING PLAN NO. S/YL-NSW/9

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RESIDENTIAL (GROUP A)

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 Flat Government Refuse Collection Point Government Use (not elsewhere specified) House Library Market Place of Recreation, Sports or Culture Public Clinic Public Convenience Public Transport Terminus or Station (excluding open-air terminus or station) Public Vehicle Park (excluding container vehicle) (on land designated "R(A)1" only) Residential Institution School (in free-standing purpose-designed building only) Social Welfare Facility Utility Installation for Private Project	Commercial Bathhouse/ Massage Establishment Eating Place Educational Institution Exhibition or Convention Hall Hospital Hotel Institutional Use (not elsewhere specified) Office Petrol Filling Station Place of Entertainment Private Club Public Transport Terminus or Station (not elsewhere specified) Public Utility Installation Public Vehicle Park (excluding container vehicle) (not elsewhere specified) Religious Institution School (not elsewhere specified) Shop and Services (not elsewhere specified) Training Centre

(Please see next page)



RESIDENTIAL (GROUP A) (cont'd)

In addition, the following uses are always permitted (a) on the lowest three floors of a building, taken to include basements; or (b) in the purpose-designed non-residential portion of an existing building, both excluding floors containing wholly or mainly car parking, loading/unloading bays and/or plant room:

Eating Place  
Educational Institution  
Institutional Use (not elsewhere specified)  
Off-course Betting Centre  
Office  
Place of Entertainment  
Private Club  
Recyclable Collection Centre  
School  
Shop and Services  
Training Centre

Planning Intention

This zone is intended primarily for medium-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.

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RESIDENTIAL (GROUP A) (cont'd)

Remarks

- (a) On land designated “Residential (Group A)1” (“R(A)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 a maximum gross floor area (GFA) of 95,100 m<sup>2</sup>, or the GFA of the existing building, whichever is the greater.
- (b) On land designated “Residential (Group A)2” (“R(A)2”), 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 domestic GFA of 50,179 m<sup>2</sup>, and a maximum non-domestic GFA of 2,245 m<sup>2</sup>, or the GFA of the existing building, whichever is the greater.
- (c) 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 metres above Principal Datum as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (d) In determining the maximum GFA for the purposes of paragraph (a) above, any floor space that is constructed or intended for use solely as Government, institution and community facilities, as required by the Government, may be disregarded.
- (e) In determining the maximum GFA for the purposes of paragraph (b) above, any floor space that is constructed or intended for use solely as public transport facilities, as required by the Government, may be disregarded.
- (f) In determining the maximum GFA for the purposes of paragraphs (a) and (b) 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 GFA/building height restrictions as stated in paragraphs (a) to (c) 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 Petrol Filling Station 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

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

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- 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 37.2m<sup>2</sup> 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) 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 0.2 and a maximum building height of 2 storeys (6m) on land designated "Residential (Group D)" and a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m) on land designated "Residential (Group D)1".
- (c) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio/building height restrictions as stated in paragraph (b) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (d) In determining the maximum plot ratio for the purposes of paragraph (b) 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) 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.

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	Burial Ground
Government Refuse Collection Point	Eating Place
Government Use (Police Reporting Centre, Post Office only)	Field Study/Education/Visitor Centre
House (New Territories Exempted House only)	Flat
On-Farm Domestic Structure	Government Use (not elsewhere specified) #
Public Convenience	Hotel (Holiday House only)
Religious Institution	House (not elsewhere specified)
(Ancestral Hall only)	Institutional Use (not elsewhere specified) #
Rural Committee/Village Office	Petrol Filling Station
	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

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

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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 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 as 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 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.

INDUSTRIAL (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
Cargo Handling and Forwarding Facility (not elsewhere specified)	Animal Boarding Establishment
Eating Place (Canteen, Cooked Food Centre only)	Broadcasting, Television and/or Film Studio
Government Refuse Collection Point	Cargo Handling and Forwarding Facility (Container Freight Station, Logistics Centre only)
Government Use (not elsewhere specified)	Concrete Batching Plant
Industrial Use (not elsewhere specified)	Container Storage/Repair Yard
Open Storage (not elsewhere specified)	Container Vehicle Park/ Container Vehicle Repair Yard
Public Convenience	Dangerous Goods Godown
Public Utility Installation	Eating Place (not elsewhere specified)
Public Vehicle Park (excluding container vehicle)	Offensive Trades
Recyclable Collection Centre	Open Storage of Cement/Sand
Rural Workshop	Open Storage of Chemical Products/ Dangerous Goods
Shop and Services (Services Trades only)	Petrol Filling Station
Utility Installation for Private Project	Refuse Disposal Installation (Refuse Transfer Station only)
Vehicle Repair Workshop	Shop and Services (not elsewhere specified)
Warehouse (other than Dangerous Goods Godown)	Vehicle Stripping/Breaking Yard
Wholesale Trade	

Planning Intention

This zone is intended primarily for industrial uses that cannot be accommodated in conventional flatted factories due to extensive land and/or high ceiling requirements. It is also intended for the redevelopment of existing informal industrial uses, which are operated in workshop premises in rural area, to properly designed permanent industrial buildings.

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 plot ratio of 1.6, a maximum site coverage of 80% and a maximum building height of 13m, 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.
- (b) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio, site coverage/building height restrictions as stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(Please see next page)

INDUSTRIAL (GROUP D) (Cont'd)

Remarks (Cont'd)

- (c) In determining the maximum plot ratio and 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 and caretaker's office, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.



OPEN STORAGE

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 Cargo Handling and Forwarding Facility (not elsewhere specified) Eating Place (Canteen only) Government Refuse Collection Point Government Use (not elsewhere specified) On-Farm Domestic Structure Open Storage (not elsewhere specified) Public Convenience Public Utility Installation Public Vehicle Park (excluding container vehicle) Rural Workshop Shop and Services (Service Trades Only) Utility Installation for Private Project Vehicle Repair Workshop Warehouse (excluding Dangerous Goods Godown)	Cargo Handling and Forwarding Facility (Container Freight Station, Logistics Centre only) Cement Manufacturing Concrete Batching Plant Container Storage/Repair Yard Container Vehicle Park/ Container Vehicle Repair Yard Dangerous Goods Godown Eating Place (not elsewhere specified) Industrial Use (not elsewhere specified) Open Storage of Cement/Sand Open Storage of Chemical Products/ Dangerous Goods Petrol Filling Station Shop and Services (not elsewhere specified) Vehicle Stripping/Breaking Yard Wholesale Trade

Planning Intention

This zone is intended primarily for the provision of land for appropriate open storage uses and to regularize the already haphazard proliferation of open storage uses. It provides for the orderly development of land for open storage uses which cannot be accommodated in conventional godown premises.

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 Boarding Establishment
Animal Quarantine Centre (in Government building only)	Animal Quarantine Centre (not elsewhere specified)
Broadcasting, Television and/or Film Studio	Columbarium
Eating Place (Canteen, Cooked Food Centre only)	Correctional Institution
Educational Institution	Crematorium
Exhibition or Convention Hall	Driving School
Field Study/Education/Visitor Centre	Eating Place (not elsewhere specified)
Government Refuse Collection Point	Flat
Government Use (not elsewhere specified)	Funeral Facility
Hospital	Helicopter Landing Pad
Institutional Use (not elsewhere specified)	Holiday Camp
Library	Hotel
Market	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 Recreation, Sports or Culture	Off-course Betting Centre
Public Clinic	Office
Public Convenience	Petrol Filling Station
Public Transport Terminus or Station	Place of Entertainment
Public Utility Installation	Private Club
Public Vehicle Park (excluding container vehicle)	Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation
Recyclable Collection Centre	Residential Institution
Religious Institution	Sewage Treatment/Screening Plant
Research, Design and Development Centre	Shop and Services (not elsewhere specified)
Rural Committee/Village Office	Utility Installation for Private Project
School	Zoo
Service Reservoir	
Social Welfare Facility	
Training Centre	
Wholesale Trade	

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, or other institutional establishments.

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 Promenade 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.

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.

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
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For “Comprehensive Development and Wetland Enhancement Area” only

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

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

Remarks

- (a) Application for permission of use or development shall be in the form of a comprehensive development scheme with minimum pond filling and no decline in the wetland function of the fish ponds within and near the development site. An applicant shall prepare a layout plan and any other documents showing the following information for consideration of the Town Planning Board:

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

For "Comprehensive Development and Wetland Enhancement Area" only (Cont'd)

Remarks (Cont'd)

- (i) the proposed land uses, development parameters, the nature, position and heights of all buildings to be erected in the area;
  - (ii) a wetland conservation and enhancement scheme, including its detailed design, wetland buffer proposals, a long-term maintenance and management plan, and monitoring and implementation mechanism;
  - (iii) an environmental impact study report, including but not limiting to an ecological impact assessment and a visual impact assessment, to examine any possible environmental, ecological and visual problems that may be caused to or by the proposed development or redevelopment during construction and after completion and the proposed mitigation measures to tackle them;
  - (iv) landscape proposals;
  - (v) a traffic impact study report to examine any possible traffic problems that may be caused by the proposed development or redevelopment and the proposed measures to tackle them;
  - (vi) a drainage and sewerage impact study report to examine any possible flooding, drainage, sewerage and associated problems that may be caused to or by the proposed development or redevelopment and the proposed mitigation measures to tackle them;
  - (vii) programming, phasing and implementation schedule of each component of the proposed development or redevelopment (including the wetland conservation and enhancement scheme); and
  - (viii) such other information as may be required by the Town Planning Board.
- (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 the maximum gross floor area (GFA) specified below:

<u>Sub-area</u>	<u>Maximum GFA</u>
OU(CDWEA1)	a domestic GFA of 306,581m <sup>2</sup> , a non-domestic GFA of 13,000m <sup>2</sup> including a club house with GFA of 8,000m <sup>2</sup>
OU(CDWEA2)	a total GFA of 52,840m <sup>2</sup> including a club house with GFA of 1,000m <sup>2</sup>

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

For "Comprehensive Development and Wetland Enhancement Area" only (Cont'd)

Remarks (Cont'd)

- (c) In determining the maximum GFA for the purposes of paragraph (b) 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.
- (d) Any development or redevelopment within the "OU(CDWEA1)" zone is required to be developed together with the "Site of Special Scientific Interest (1)" ("SSSI(1)") zone on the Mai Po and Fairview Park Outline Zoning Plan in a comprehensive and integrated manner. An applicant shall submit a layout plan covering the whole of the "OU(CDWEA1)" zone and the "SSSI(1)" zone for the consideration of the Town Planning Board in accordance with the provisions of the Notes of both zones.
- (e) 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.

(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
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For "Comprehensive Development to include Wetland Restoration Area" only

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

Planning Intention

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

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

For "Comprehensive Development to include Wetland Restoration Area" only (Cont'd)

Remarks (Cont'd)

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

(Please see next page)



OTHER SPECIFIED USES (Cont'd)

For "Comprehensive Development to include Wetland Restoration Area" only (Cont'd)

Remarks (Cont'd)

- (c) For application for uses annotated with #, if developed individually and not forming part of a comprehensive development scheme, the requirement of the provision of wetland restoration proposal and the submission of layout plan as required under paragraph (a) above may be exempted.
- (d) On land designated "Other Specified Uses" annotated "Comprehensive Development to include Wetland Restoration Area" ("OU(CDWRA)"), no new development, or addition, alteration and/or modification to or redevelopment of an existing building (except development or redevelopment to a 'New Territories Exempted House') shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 0.4 and a maximum building height of 6 storeys including car park, or the plot ratio and height of the building which was in existence on the date of the first publication in the Gazette of the notice of the interim development permission area plan, whichever is the greater.
- (e) On land designated "OU(CDWRA)(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 a maximum plot ratio of 1.55 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.
- (f) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio/building height restrictions as stated in paragraphs (d) and (e) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (g) In determining the maximum plot ratio for the purposes of paragraphs (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.
- (h) 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 development 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.

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

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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 "Pumping Station" only

Public Utility Installation  
(Pumping Station only)

Government Use (not elsewhere specified)  
Utility Installation not ancillary to the  
Specified Use

Planning Intention

This zone is intended primarily for pumping station use.

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 Cable Car Route and Terminal Building 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

(Please see next page)

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 filling 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.

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 in the Deep Bay Area. The “no-net-loss in wetland” principle is adopted for any change in use within this zone. The primary intention is to discourage new development unless it is required to support the conservation of the ecological integrity of the wetland ecosystem or the development is an essential infrastructure project with overriding public interest.

Remarks

- (a) No redevelopment, including alteration and/or modification, of an existing house shall result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication in the Gazette of the notice of the interim development permission area plan.
- (b) 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 NAM SANG WAI OUTLINE ZONING PLAN NO. S/YL-NSW/9

EXPLANATORY STATEMENT

DRAFT NAM SANG WAI OUTLINE ZONING PLAN NO. S/YL-NSW/9

EXPLANATORY STATEMENT

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## DRAFT NAM SANG WAI OUTLINE ZONING PLAN NO. S/YL-NSW/9

(Being a Draft Plan for the Purpose 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 draft Plan.

#### 1. INTRODUCTION

This Explanatory Statement is intended to assist an understanding of the draft Nam Sang Wai Outline Zoning Plan (OZP) No. S/YL-NSW/9. It reflects the planning intention and objectives of the Town Planning Board (the Board) for various land-use zonings of the Plan.

#### 2. AUTHORITY FOR THE PLAN AND PROCEDURE

- 2.1 The land covered by the draft Nam Sang Wai OZP was previously included in the Nam Sang Wai Interim Development Permission Area (IDPA) Plan and the Nam Sang Wai Development Permission Area (DPA) Plan.
- 2.2 On 17 August 1990, the Nam Sang Wai IDPA Plan No. IDPA/YL-NSW/1 prepared by the Director of Planning was notified in the Gazette.
- 2.3 On 12 July 1991, the draft Nam Sang Wai DPA Plan No. DPA/YL-NSW/1 including land previously within the IDPA Plan was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). On 26 April 1994, the then Governor in Council, under section 9(1)(a) of the Ordinance, approved the draft Nam Sang Wai DPA Plan which was subsequently renumbered as DPA/YL-NSW/2.
- 2.4 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 Nam Sang Wai.
- 2.5 On 3 June 1994, the draft Nam Sang Wai OZP No. S/YL-NSW/1 was exhibited for public inspection under section 5 of the Ordinance. Subsequently, the draft Nam Sang Wai OZP was amended twice and exhibited for public inspection under section 7 of the Ordinance. On 5 February 2002, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Nam Sang Wai OZP, which was subsequently renumbered as S/YL-NSW/4.
- 2.6 On 8 July 2003, the CE in C referred the approved Nam Sang Wai OZP No. S/YL-NSW/4 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The reference back of the OZP was notified in the Gazette on 18 July 2003 under section 12(2) of the Ordinance. Subsequently, the OZP has



been amended three times to reflect the changing circumstances.

- 2.7 On 17 October 2006, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Nam Sang Wai OZP, which was subsequently renumbered as S/YL-NSW/8. On 27 October 2006, the approved Nam Sang Wai OZP No. S/YL-NSW/8 was exhibited under section 9(5) of the Ordinance.
- 2.8 On 28 March 2023, the CE in C referred the approved Nam Sang Wai OZP No S/YL-NSW/8 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The reference back of the OZP was notified in the Gazette on 6 April 2023 under section 12(2) of the Ordinance.
- 2.9 On 12 July 2024, the draft Nam Sang Wai OZP No. S/YL-NSW/9 (the Plan) was exhibited for public inspection under section 5 of the Ordinance. The Plan incorporates amendments mainly to rezone an area to the north of Ho Chau Road from “Residential (Group D)” (“R(D)”) to “Residential (Group A)1” (“R(A)1”), “Residential (Group A)2” (“R(A)2”), “Other Specified Uses” annotated “Pumping Station” (“OU(Pumping Station)”) to facilitate a Land Sharing Pilot Scheme (LSPS) development; and from “R(D)” to “Village Type Development” (“V”) and “Green Belt” to form part of the adjacent “V” zone and reflect existing condition respectively; to rezone a site at Wing Kei Tsuen from “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” (“OU(CDWRA)”) to “OU(CDWRA)(1)” zone; and other technical amendments to the Notes of the OZP.

### 3. OBJECT OF THE PLAN

- 3.1 The object of the Plan is to indicate the broad land-use zonings and transport network for the Nam Sang Wai area so that development and redevelopment within the area can be put under statutory planning control. It also provides the planning framework for preparing more detailed non-statutory plans which form the basis for public works planning and site reservation for various uses.
- 3.2 The Plan is to illustrate the broad principles of development and control only. It is a small-scale plan and the road alignments and boundaries between the land-use zones may be subject to minor alterations as detailed planning proceeds.
- 3.3 Since the Plan is to show broad land use zonings, there would be situations in which small strips of land not intended for building development purposes and carry no development right under the lease, such as 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 buildings lots carrying development right in order to maintain the character and amenity of the Nam Sang Wai area and not to overload the road network in this area.

4. NOTES OF THE PLAN

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

5. THE PLANNING SCHEME AREA

- 5.1 The Area is about 600 ha. It is bounded by San Tin Highway and Castle Peak Road in the east, Mai Po and Fairview Park area in the north, Shan Pui River and Yuen Long New Town in the west and Shan Pui Chung Hau Tsuen and Au Tau in the south. The boundary of the Area is shown in a heavy broken line on the Plan.
- 5.2 The boundary of the Area is delineated having regard to physical and topographical features such as roads, drainage channels and hills. Therefore, the Area boundary does not necessarily follow the Heung boundaries which are used for administration purpose only. Also, the name of the Plan is geographical in nature and would not cause implications on development rights, particularly Small House applications.
- 5.3 The Area comprises a low-lying alluvial flood plain draining into Deep Bay. It is largely rural in character with considerable amount of fish ponds and a few parcels of farm land in the northern part of the Area. In recent years, large tracts of fish ponds and agricultural land, particularly those located by or near the main roads, have been filled up and converted for open storage and warehouse uses.
- 5.4 There are a number of graded historic buildings located with the Area. Prior consultation with the Antiquities and Monuments Office of the Development Bureau is required for any works, development, redevelopment or rezoning proposals that might affect the graded historic buildings and their immediate environs.

6. POPULATION

- 6.1 Based on the 2021 Population By-census, the population of the Area was estimated by the Planning Department as about 3,800.
- 6.2 It is estimated that the total planned population for the Area would be about

28,500 persons.

## 7. OPPORTUNITIES AND CONSTRAINTS

### 7.1 Opportunities

7.1.1 The “Study on Ecological Values of Fish Ponds in Deep Bay Area” (“Fish Pond Study”) completed in 1997 has confirmed the unique international and regional importance of the fish pond system in the Deep Bay Area particularly for ardeids. It has established that the fish pond areas in Nam Sang Wai form an integral part of the Deep Bay Area wetland ecosystem, and have significant ecological value. With the support of scientific surveys and analysis, the Fish Pond Study sets out the principles of “precautionary approach” and “no-net-loss in wetland” which present opportunities to prevent/enhance these natural resources, and to restore some of the degraded areas.

7.1.2 Where situation warrants, environmental upgrading of open storage sites along San Tin Highway and Castle Peak Road through redevelopment proposals should be encouraged provided that these proposals would have minimal adverse impacts in terms of drainage, sewerage, traffic, environment and ecology.

7.1.3 Opportunities for developments in the Area are expected to be concentrated at the existing less ecologically sensitive flat land, capitalizing on the close proximity of the Area to the Yuen Long New Town and the improved accessibility to be brought by several strategic transport links including the existing San Tin Highway, Yuen Long Highway and Tsing Long Highway, and the Northern Metropolis Highway as well as the Northern Link Main Line under planning.

### 7.2 Development Constraints

7.2.1 The existing Mai Po Nature Reserve (MPNR) and the adjoining fish ponds form part of the wetland system and wildlife habitats in the Deep Bay Area providing an extensive area of undisturbed feeding and resting habitats for migratory birds. In order to preserve and sustain MPNR and the wildlife habitats in the areas surrounding the Deep Bay Area, new development proposals should not be allowed unless it can be demonstrated that it would have minimal adverse impact on drainage, sewerage, traffic, environment and ecology in the area.

7.2.2 The Area is on low-lying terrain. Over the past decades, there have been substantial modifications of the floodplain which have reduced the flood storage capacity and affected floodways and watercourses in the Area. These changes have caused substantial increase in flooding hazards and flood damages to the Area. To relieve the regional flooding problem, construction of main drainage channels for Ngau

Tam Mei and the village flood protection works for Pok Wai and Chuk Yuen Tsuen/Ha San Wai was completed in 2004. However, there is still some local residual flooding which occurs at low-lying areas. Mitigation measures against flooding should be assured for every development to be carried out in this Area.

- 7.2.3 With the rapid growth of Yuen Long New Town, the committed/approved developments in Mai Po, Ngau Tam Mei and Nam Sang Wai areas and the proposed San Tin Technopole, traffic flow on the subject section of Castle Peak Road and San Tin Highway will soon reach their capacity. This imposes a constraint on future new development proposals in the Area and improvement to the road infrastructure would be required. While the existing San Tin Highway, Yuen Long Highway and Tsing Long Highway serving the Area, in the long term, addition of a new strategic road such as the Northern Metropolis Highway is needed.
- 7.2.4 Existing water treatment works capacity for the North West New Territories (NWNT) has already been committed. Extension of water supply system will be required if there is a substantial increase in population resulting from large scale residential developments.

## 8. GENERAL PLANNING INTENTION

- 8.1 In the light of the findings and recommendations of the Fish Pond Study, the general planning intention of the Area is to conserve the ecological value of the fish ponds which form an integral part of the wetland ecosystem in the Deep Bay Area. The existing and contiguous, active or abandoned fish ponds in the Deep Bay Area should all be conserved. Moreover, the loss of fish ponds and habitat fragmentation should be avoided and any negative impacts arising from undesirable land uses and human disturbance should be mitigated.
- 8.2 In order to achieve the conservation objectives, a “precautionary approach” and the principle of “no-net-loss in wetland” have been adopted. New development within the fish pond areas would not be allowed unless it is required to support or to enhance the ecological value of the area, or the development is an essential infrastructural project with overriding public interest.
- 8.3 The planning intention of the area further away from the fish ponds is to protect the ecological integrity of the wetland ecosystem, and prevent development that would have a negative off-site disturbance impact on the ecological value of fish ponds. Application for new open storage or port back-up uses would normally not be allowed.
- 8.4 In the designation of various zones in the Area, other than the recommendation of the Fish Pond Study, considerations have been given to the physical landform, existing settlements, land status, availability of infrastructure and local development pressures, and the latest territorial spatial

development strategy (i.e. the Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030 promulgated in October 2021). In addition, buildings and places of historical and archaeological interest in the Area would be preserved as far as possible.

## 9. LAND-USE ZONINGS

### 9.1 Residential (Group A) (“R(A)”) (Total Area : 5.86 ha)

9.1.1 The planning intention of this zone is primarily for medium-density residential developments. The “R(A)” zone includes sites for public and private residential developments under the LSPS<sup>1</sup> in an area to the north of Ho Chau Road. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building. Various community, social welfare and ancillary recreational facilities may be included in these sites.

9.1.2 This zoning includes two sub-zones which are subject to the following development restrictions:

#### “Residential (Group A)1” (“R(A)1”): (Total Area : 2.21 ha)

- (a) A site for public housing development under the LSPS located to the north of the “R(A)2” zone is under this zoning. Development within this sub-zone is subject to a maximum gross floor area (GFA) of 95,100m<sup>2</sup> and a maximum building height of 100mPD. Under the proposed LSPS scheme, the domestic and non-domestic GFA for the public housing development would be 93,400m<sup>2</sup> and 1,700m<sup>2</sup> respectively.
- (b) In order to facilitate provision of Government, institution and community (GIC) facilities, in determining the maximum GFA of the development and/or redevelopments, any floor space that is constructed or intended for use solely as GIC facilities, as required by the Government, may be disregarded.
- (c) A planning brief setting out the planning parameters and the design requirements of the public housing development will be provided to guide the future development of the site.

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<sup>1</sup> The LSPS aims to unlock the development potential of private land in areas not covered by the Government’s planning studies or conservation areas, and serves to complement government-led land supply initiatives. Under the LSPS, each project should be capable of delivering an increased domestic GFA of not less than 50,000m<sup>2</sup> in total and at least 1,000 additional housing units (assuming an average flat size of 50m<sup>2</sup>), being the total domestic GFA attainable by the project net the original scale of development of the private lots permissible under statutory plans or planning approvals in the absence of LSPS. No less than 70% of the increased domestic GFA should be set aside for public housing or starter homes development as intended by the Government.

“Residential (Group A)2” (“R(A)2”): (Total Area : 3.65 ha)

- (d) A site for private housing development under the LSPS located to the north of Ho Chau Road is under this zoning. Development within this sub-zone is subject to a maximum domestic GFA of 50,179m<sup>2</sup>, a maximum non-domestic GFA of 2,245m<sup>2</sup> and a maximum building height of 100mPD. Retail facilities and a kindergarten will be provided in the “R(A)2” zone. Besides, compensation wetlands of about 6,900m<sup>2</sup>, and a public transport terminus with a GFA of about 4,675m<sup>2</sup> would be provided within the “R(A)2” zone.
- (e) In order to facilitate provision of public transport facilities, in determining the maximum GFA of the development and/or redevelopments, any floor space that is constructed or intended for use solely as public transport facilities, as required by the Government, may be disregarded.

9.1.3 The GFA control under the “R(A)1” and “R(A)2” zones are 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 D) (“R(D)” (Total Area : 7.66 ha)

- 9.2.1 The planning intention of this zone is primarily to improve and upgrade the existing temporary structures within the rural area to permanent buildings. Replacement housing for temporary structures shall not result in a total redevelopment in excess of a maximum building area of 37.2m<sup>2</sup> and a maximum building height of 2 storeys (6m).
- 9.2.2 Apart from the intention of residential upgrading, low-rise and low-density residential development may be permitted on application to the Board. Generally, the applicant has to prove to the Board that the proposed development would have no or minimal adverse impact on the environment.
- 9.2.3 Man Yuen Tsuen and two parcels of land to the south of Kam Tin River are zoned “R(D)”. These area are rural in character. To be in line with the development intensity of existing domestic accommodation within the area, residential development other than New Territories Exempted House shall not result in a total development in excess of a plot ratio of 0.2 and a maximum building height of 2 storeys (6m).
- 9.2.4 An area covering Shan Pui Chung Hau Tsuen and its adjacent land is zoned “R(D)1” where residential development other than New Territories Exempted House shall not exceed a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m).

9.3 Village Type Development (“V”) (Total Area : 43.71 ha)

9.3.1 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 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 under section 16 of the Ordinance to the Board.

9.3.2 The boundaries of the “V” zones are drawn up having regard to the existing village “environs”, outstanding Small House demands for the next ten years, topography and site constraints. Areas of difficult terrain, dense vegetation, stream courses and burial grounds had been avoided. Village expansion areas and other infrastructural improvements will be guided by detailed layout plans whenever applicable.

9.3.3 Pok Wai is the only recognized village in the Area. It is located at the north-eastern part of the Area along the western side of the San Tin Highway. An area to the north-east of Shan Pui is also zoned “V” to cater for village expansion for the villages of Shan Pui and in Yuen Long Kau Hui area.

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

9.4 Industrial (Group D) (“I(D)”) (Total Area : 3.53 ha)

9.4.1 The planning intention of this zone is primarily to provide land for industrial uses that cannot be accommodated in conventional flatted factories due to extensive land and/or high ceiling requirements. It is also intended for the redevelopment of existing informal industrial uses, which are operated in workshop premises in rural area, to properly design permanent industrial buildings.

9.4.2 New industrial developments are encouraged to be constructed in permanent materials. Each establishment shall be provided with water supply and connections for sewage disposal. To avoid pollution, new sites shall be connected to a Government reticulatory sewer system or contain satisfactory on-site sewage treatment facilities. New industrial developments should demonstrate that the nature of their operations could not be accommodated in conventional flatted factory accommodation. Developments are restricted to a maximum plot ratio of 1.6, a maximum site coverage of 80% and a maximum building

height of 13m. Minor relaxation of the plot ratio, site coverage and building height restrictions stated above may be considered by the Board on application under section 16 of the Ordinance. Each application will be considered on its own merits.

9.4.3 A soy factory at Castle Peak Road – Tam Mi Section to south-west of Mo Fan Heung is zoned “I(D)”.

9.5 Open Storage (“OS”) (Total Area : 5.43 ha)

9.5.1 The planning intention of this zone is primarily to provide land for appropriate open storage uses and to regularize the already haphazard proliferation of open storage uses within this zone. This zoning also provides for the orderly development of land for open storage of goods which cannot be accommodated in conventional godown premises.

9.5.2 Specified open storage uses such as container storage, vehicles stripping/breaking yard, and storage of dangerous goods which may cause environmental nuisance, safety hazards or transport problems require permission from the Board. Development proposals for such purposes have to clearly demonstrate that they would have no adverse environmental, drainage, traffic and other impacts on the surroundings. Other storage uses (not elsewhere specified), such as storage of agricultural products, construction materials (except storage of cement/sand) and equipment, which would unlikely cause adverse environmental, drainage or transport problems, are always permitted.

9.5.3 In order to meet the demand for open storage, an area located at the south-eastern part of the Area along the western side of San Tin Highway is zoned “OS”. The area should be properly paved and landscaped to reduce the visual impact.

9.6 Government, Institution or Community (“G/IC”) (Total Area : 3.38 ha)

9.6.1 This zone is intended primarily for the provision of Government, institution or community (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.

9.6.2 The Pok Oi Hospital and the church near Au Tau roundabout are zoned “G/IC”. A site to the north-east of Tung Shing Lei is used for a gas offtake station. Another site to the east of the confluence of the Kam Tin River and the drainage channel is designated for the construction of a low flow pump.

9.7 Open Space (“O”) (Total Area : 8.75 ha)

9.7.1 The planning intention of this zone is to provide outdoor open-air



public space for the development of active and passive recreational uses serving the local residents and the general public.

- 9.7.2 Three sites to the west of San Tin Highway on both sides of the Kam Tin River are zoned “O”. The intention is to provide recreation opportunities for the public and offer a buffer and easy access to the Kam Tin River.

9.8 Other Specified Uses (“OU”) (Total Area : 230.63 ha)

The sites zoned “OU” on the Plan include the following as annotated on the Plan:

“OU(Comprehensive Development and Wetland Enhancement Area)”  
“OU(CDWEA)” (Total Area : 151.30 ha)

- 9.8.1 Within the “OU(CDWEA)” zone, the ecological value of the existing continuous and contiguous fish ponds should be conserved and the “precautionary approach” and “no-net-loss in wetland” principle shall apply. According to the “precautionary approach”, these existing continuous and contiguous fish ponds are to be protected and conserved in order to maintain the ecological integrity of the Deep Bay wetland ecosystem as a whole. “No-net-loss in wetland” can refer to no decline in wetland or ecological functions served by the existing fish ponds.
- 9.8.2 Having regard to the “precautionary approach” and “no-net-loss in wetland” principle, the planning intention of the “OU(CDWEA)” zone is to conserve and enhance the ecological value and functions of the existing fish ponds or wetland through consideration of application for development or redevelopment under a “private-public partnership approach”. Under the “private-public partnership approach”, the Board may, subject to the “no-net-loss in wetland” principle, allow limited low-density private residential or passive recreational development within this zone in exchange for committed long-term conservation and management of the remaining ponds or wetland within a development site. Development of this nature should involve minimum pond filling and no decline in the wetland function of the fish ponds within and near the development site. Any new development should be located to the southernmost portion of the zone and as far away from the MPNR and the Deep Bay and/or adjoining to existing developments in the area. Compensation for loss of wetland area and its ecological functions is required for any development involving pond filling.
- 9.8.3 New development or redevelopment should be developed in a comprehensive manner and would require planning permission from the Board under section 16 of the Ordinance to ensure that such development or redevelopment would adhere to the “precautionary approach” and “no-net-loss in wetland” principle. An applicant

should submit such a development or redevelopment proposal to the Board in the form of a comprehensive development scheme to include a layout plan with supporting documents, including an environmental impact study report which should include inter alia, an Ecological Impact Assessment (EcoIA) and a Visual Impact Assessment (VIA); and traffic impact, drainage and sewerage impacts study reports as well as information on programming, phasing and implementation schedule of the development. The applicant should also submit a wetland conservation and enhancement scheme, including its detailed design, wetland buffer proposals to mitigate the potential impacts on the existing wetland, a maintenance and management plan with implementation details, arrangements of funding and monitoring programme to ensure the long-term management of the wetland. The EcoIA should demonstrate that such development or redevelopment proposal would not result in, or be able to fully compensate for, any loss of the total ecological function of the original fish ponds within this zone as well as the ponds nearby, and that the development or redevelopment impact can be fully mitigated through positive measures. The submission should also demonstrate that the development or redevelopment would not cause a net increase of pollution load into Deep Bay.

9.8.4 Under this zoning, development shall not result in a total development or redevelopment intensity in excess of the maximum GFA specified below:

OU(CDWEA1) a domestic GFA of 306,581m<sup>2</sup>, a non-domestic GFA of 13,000m<sup>2</sup> including a club house with GFA of 8,000m<sup>2</sup>

OU(CDWEA2) a total GFA of 52,840m<sup>2</sup> including a club house with GFA of 1,000m<sup>2</sup>

Any new development should be located to the southernmost portion of the zone and as far away from the MPNR and the Deep Bay and/or adjoining to existing developments in the area.

9.8.5 Any development or redevelopment within the “OU(CDWEA1)” zone on this Plan is required to be developed in a comprehensive and integrated manner with the whole of the “Site of Special Scientific Interest (1)” (“SSSI(1)”) zone on the Mai Po and Fairview Park OZP. As mentioned in paragraph 9.8.3 above, an applicant for development or redevelopment in the “OU(CDWEA1)” zone is required to submit a layout plan with supporting documents and wetland conservation and enhancement scheme which should provide details on the management and monitoring plan as well as implementation mechanisms for both the whole of the “OU(CDWEA1)” zone and the whole of the said “SSSI(1)” zone for the consideration of the Board under section 16 of the Ordinance.

9.8.6 The “OU(CDWEA1)” zone on this Plan and the “SSSI(1)” zone on Mai Po and Fairview Park OZP are primarily to facilitate the proposed

residential development at Nam Sang Wai with a nature reserve at Lut Chau, Mai Po granted by the Town Planning Appeal Board in 1994 and upheld by the Privy Council in 1996, taking into account the Town Planning Board Guidelines for “Application for Developments within Deep Bay Area”. The proposed nature reserve at Lut Chau should form part of the above development at Nam Sang Wai.

- 9.8.7 The area at Nam Sang Wai located to the north of Chung Hau Yu Man San Tsuen is zoned “OU(CDWEA1)”. This area comprises fish ponds which form an integral part of the Deep Bay wetland ecosystem.
- 9.8.8 The area at Tin Fook Wai is zoned “OU(CDWEA2)”. This area comprises fish ponds which also form an integral part of the Deep Bay wetland ecosystem. The “OU(CDWEA2)” zone is to allow limited low-density private residential development in exchange for committed long-term conservation and management of the remaining ponds or wetland within this zone. As mentioned in paragraph 9.8.3 above, an applicant for development or redevelopment in the “OU(CDWEA2)” zone is required to submit a layout plan with supporting documents and wetland conservation and enhancement scheme which should provide details on the management and monitoring plan as well as implementation mechanisms for the remaining ponds or wetland within this zone.
- 9.8.9 Filling of land/pond and excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activities.

“OU(Comprehensive Development to include Wetland Restoration Area)”  
 (“OU(CDWRA)”) (Total Area : 78.44 ha)

- 9.8.10 The planning intention of this zone is to provide incentive for the restoration of degraded wetlands adjoining existing fish ponds, and to encourage the phasing out of sporadic open storage and port back-up uses on degraded wetland. This can be achieved through comprehensive residential and/or recreational development to include wetland restoration area. Development or redevelopment schemes on the degraded wetlands directly adjoining areas of the existing continuous and contiguous fish ponds should include wetland restoration and buffer proposals to separate the development from and minimize its impact on the fish pond areas. Any new building should be located farthest away from Deep Bay.
- 9.8.11 To ensure that development or redevelopment which requires planning permission would be developed in a comprehensive manner, an applicant should submit to the Board a development or redevelopment proposal in the form of a comprehensive development scheme to include a layout plan with supporting documents, including an environmental impact study report which should include, inter alia, an

EcoIA and a VIA; and traffic impact, drainage and sewerage impacts study reports as well as information on programming, phasing and implementation schedule of the development. The applicant should also submit a wetland restoration and/or creation scheme, including its detailed design, wetland buffer proposals to mitigate the potential impact on the nearby existing wetland, a maintenance and management plan with implementation details, arrangement of funding and monitoring programme to ensure the long-term management of the restored wetland. The EcoIA should demonstrate that any negative ecological impacts on the area can be fully mitigated through positive measures. The submission should demonstrate that the development or redevelopment would not cause a net increase of pollution load into Deep Bay.

- 9.8.12 To be in line with the rural setting which is mainly low-rise residential developments and village houses, to minimize visual impact and to take into account the capacities of local road network and infrastructure in this area, development or redevelopment shall not result in a total development or redevelopment intensity in excess of a total plot ratio of 0.4 and a maximum building height of 6 storeys including car park.
- 9.8.13 It is recognized that the degraded wetlands within the zone may not be developed as a whole and the objectives of comprehensive development to include wetland restoration may take time to materialize. To provide flexibility in the planning application system, certain uses or developments, which are small-scale and have insignificant environmental impacts, may be permitted as interim development on an individual basis on application to the Board. Application for such uses and/or developments may be exempted from the requirement of the provision of wetland restoration proposal and the submission of layout plan.
- 9.8.14 Within the “OU(CDWRA)” zone, while open storage and port back-up uses that existed immediately before the first publication in the Gazette of the notice of the Nam Sang Wai IDPA Plan and those with planning permission from the Board are tolerated, new temporary open storage and port back-up uses would not be allowed by the Board.
- 9.8.15 The areas near Tai Sang Wai, Man Yuen Chuen, Wing Kei Tsuen and the area north of the Shan Pui Road are zoned “OU(CDWRA)”. These areas comprise scattered ponds, formed land and fish ponds, some of which were filled prior to the publication of the Nam Sang Wai IDPA Plan. They are currently occupied by a mix of uses including open storage uses, warehouses, repair workshops, container vehicle park and vacant land.
- 9.8.16 For the “OU(CDWRA)” zone to the north of Shan Pui Road, any application for permission of use or development, except in paragraph (c) of the Notes, should be in the form of a layout plan covering the whole “OU(CDWRA)” zone. Apart from the requirement for

wetland restoration, a stepped height concept with building height ranging from 6 to 3 storeys from the landward side to the waterfront should be adopted in the design of future development on the site.

9.8.17 A site, with a total area of about 6.84 ha, for private comprehensive residential development located at Wing Kei Tsuen is zoned “OU(CDWRA)1”. Development within this sub-zone is subject to a maximum plot ratio of 1.55 and a maximum building height of 54mPD.

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

“OU(Pumping Station)” (Total Area : 0.90 ha)

9.8.19 This zone covers a stormwater pumping station and a sewage pumping station near Shan Pui Chung Hau Tsuen which are already in operation handling prevention of flooding and sewage disposal of the area including Yuen Long Kau Hui respectively. Another site at the western part of the LSPS development at Ho Chau Road is also designated for the provision of a sewage pumping station.

9.9 Undetermined (“U”) (Total Area : 46.40 ha)

9.9.1 Three areas to the north of Pok Oi Hospital are zoned “U” as they are subject to impacts from the existing major roads like Castle Peak Road, Yuen Long Highway, Tsing Long Highway, Tuen Ma Line (TML) and the Yuen Long Bypass Floodway (YLBF). At present, these areas mainly consist of squatters and small stone houses, fish ponds and rural workshops. The areas are located in close proximity to the Yuen Long New Town and within a transitional location between the urban and rural areas. Development within the areas has to be comprehensively planned as piecemeal development or redevelopment would have the effect of degrading the environment and thus jeopardizing the long-term planning intention of the areas. According to the 2017 Policy Address, the “U” zone in Tung Shing Lei is one of the potential sites for public housing development in the short to medium term. With the completion of TML and YLBF, the areas zoned “U” are subject to future land use review.

9.9.2 Under the “U” zone, any private developments or redevelopments require planning permission from the Board so as to ensure that the environment would not be adversely affected and that infrastructure, GIC facilities, open space are adequately provided. The proposed development should also take into account the TML and the YLBF. To realize a built-form which represents a transition from the Yuen Long New Town to the rural area, the development intensity should

take into account the urban type developments immediately to the west of the “U” zone and the rural characteristics of the area to its north.

9.10 Green Belt (“GB”) (Total Area : 7.47 ha)

9.10.1 The planning intention of this zone is primarily to define 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. The “GB” zone may include foothills, lower hill slopes, spurs, isolated knolls, woodland or vegetated land which occur at the urban fringe. There is a general presumption against development within the “GB” zone. However, limited developments may be permitted with or without conditions on application to the Board, and each application will be considered on its individual merits taking into account the relevant Town Planning Board Guidelines.

9.10.2 An area which is a burial ground located near Au Tau and a knoll to the north of the LSPS development at Ho Chau Road are zoned “GB”. As filling and excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the environment, permission from the Board is required for such activity.

9.11 Conservation Area (“CA”) (Total Area : 121.52 ha)

9.11.1 The planning intention of this zone is to conserve the ecological value of the wetland and fish ponds which form an integral part of the wetland ecosystem in the Deep Bay Area and function as a substantial source of food supply for birds and as an important habitat for roosting and foraging of waterbirds. The “no-net-loss in wetland” principle is adopted for any change in use within this zone. “No-net-loss in wetland” can refer to no decline in wetland or ecological functions served by the existing fish ponds. Fragmentation of continuous and contiguous fishpond habitats within the “CA” zone should be avoided.

9.11.2 The existing fish pond culture within this zone should be maintained and its continuous operation is encouraged. Conservation management activities which will enhance the overall Deep Bay wetland ecosystem are also promoted. The primary intention of this zone 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 infrastructural project with overriding public interest. Alternative beneficial uses to fish ponds such as nature reserve or wetland habitat are permitted as of right within the zone. For those developments which may be permitted on application to the Board, such application should be supported by an EcoIA and a management plan to demonstrate that the development would not result in any net loss in wetland function and negative disturbance impact. Such development should also be compatible with the conservation objectives of the wetland in the Deep Bay Area and should be appropriate as well as be able to enhance the visual and landscape quality of the area. Wetland compensation is required for any

development involving pond filling and mitigation measures against any disturbance would be necessary. Certain uses/facilities that are of small scale or necessary to serve the local needs may also be considered on application to the Board.

9.11.3 The area in the northern part of the Area is zoned “CA” to protect the existing wetland in the vicinity of the Mai Po Nature Reserve. The land covered by this “CA” zone is largely Government owned and is predominantly fish ponds. Similarly, an area stretching from Chung Hau Yu Man San Tsuen eastwards to Nam Sang Wai Road comprising mangroves and fish ponds is also zoned “CA”.

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

9.12 For the zone(s) where minor relaxation of relevant restriction(s) is applicable, based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio/building height/GFA restrictions as stated in the relevant paragraph(s) 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. TRANSPORT AND COMMUNICATION

### 10.1 Road Network

10.1.1 San Tin Highway, as part of Route 9 (i.e. New Territories Circular Route), is an expressway connecting the Area to various districts in New Territories, such as Yuen Long and Lok Ma Chau. Yuen Long Highway and Tsing Long Highway are main trunk roads, with the former one connecting to Tin Shui Wai and Tuen Mun Areas, and the latter one running through the south-eastern part of the Area and connecting NWNT with the urban area.

10.1.2 The Area is also accessed by Castle Peak Road and Fairview Park Boulevard. The inland part of the Area is largely not accessible by vehicles. However, as part of the Kam Tin and Yuen Long Main Drainage Channels Project, a 6.75m-wide Nam Sang Wai Road has been built from San Tin Highway north-westward up to Tin Fook Wai along the Kam Tin River. This road and the 3.5m wide Pok Wai South Road which is on the eastern side of the channel are maintenance roads open to public at all times.

### 10.2 Railway

The Tuen Ma Line provides a passenger link connecting the NWNT to the urban areas and the Shatin/Ma On Shan areas. Besides, the proposed Northern Link

Main Line will run to the east of the Area with intermediate stations at Au Tau, and Ngau Tam Mei and San Tin. The railway is planned to provide interchange service with the existing Tuen Ma Line and East Rail Line at Kam Sheung Road Station and Kwu Tung Station respectively connecting to the metro areas of Hong Kong.

### 10.3 Public Transport

For public transport, the Area is well served by buses and public light buses which run along Castle Peak Road and San Tin Highway.

## 11. UTILITY SERVICES

### 11.1 Water Supply

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

### 11.2 Sewerage Facilities

11.2.1 At present, only part of the Area is served by public sewer. Private residential developments in the unsewered part of the Area must contain suitable and satisfactory on-site sewage treatment facilities and be connected to a public sewer once it is in place.

11.2.2 The Nam Sang Wai sewage pumping station and Sha Po sewage pumping station to serve the Area are in operation. Private residential developments in the unsewered part of the Area must contain suitable and satisfactory on-site sewage treatment facilities to achieve the requirements of “no-net-increase in pollution load to Deep Bay” and make connections to a public sewer once it is in place.

### 11.3 Electricity

The Area has long been supplied with electricity. The electricity supply is reinforced by the 132 kV network.

### 11.4 Gas

Gas pipes have already been laid from Tai Po to Yuen Long along San Tin Highway.

## 12. CULTURAL HERITAGE

Within the boundary of the Area, there are a number of graded historic buildings. 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 for grading assessment have been



uploaded onto the official website of the AAB at <http://www.aab.gov.hk>. The list of graded buildings will be updated from time to time. Prior consultation with the Antiquities and Monuments Office (AMO) of Development Bureau should be made if any works, development, redevelopment or rezoning proposals may affect the declared monuments, proposed monuments, historic buildings and sites graded by AAB, Government historic sites identified by AMO, as well as 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 and Government historic sites identified by AMO are available on the website of AMO.

13. IMPLEMENTATION

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

13.2 At present there is no overall programme for the provision of infrastructure within the Area. The implementation process will be gradual and may stretch over a long period depending on the availability of resources. It will be undertaken through the participation of both the public and private sectors.

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

14. PLANNING CONTROL

14.1 The types of permitted developments and uses within the Area are listed in the Notes to the Plan. Unless otherwise specified, all building, engineering and other operations incidental to and 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 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 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 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 applications can be downloaded from the Board's website and are available from the Secretariat of the Board, 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 a plan of the Nam Sang Wai 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.