

LEGISLATIVE COUNCIL BRIEF

Town Planning Ordinance
(Chapter 131)

APPROVED TSENG LAN SHUE OUTLINE ZONING PLAN NO. S/SK-TLS/10

INTRODUCTION

A At the meeting of the Executive Council on 25 April 2023, the Council ADVISED and the Chief Executive ORDERED that the draft Tseng Lan Shue Outline Zoning Plan (OZP) No. S/SK-TLS/9A should be approved under section 9(1)(a) of the Town Planning Ordinance (the Ordinance). The Plan is now renumbered as No. S/SK-TLS/10 at Annex A.

AMENDMENTS TO THE APPROVED TSENG LAN SHUE OZP NO. S/SK-TLS/8 SINCE ITS REFERENCE BACK

2. Since the reference back of the approved Tseng Lan Shue OZP No. S/SK-TLS/8 on 2 February 2021, the draft Tseng Lan Shue Outline Zoning Plan (OZP) No. S/SK-TLS/9 (the draft OZP) incorporating an amendment was exhibited on 25 February 2022 for public inspection under section 5 of the Ordinance. The amendment involved rezoning of a site at Ta Ku Ling from "Green Belt" ("GB") to "Residential (Group C)7" ("R(C)7") (Amendment Item A) for private housing development with provision of elderly facilities. The subject "R(C)7" zone comprised two portions: area (a) included an area designated for low-density private residential development and a private lot with an existing house; and area (b) was designated as a non-building area mainly for the associated access road and pedestrian facilities connecting with Clear Water Bay Road.

3. The amendments to the Notes of the approved Tseng Lan Shue OZP No. S/SK-TLS/8 included revisions consequential to amendments to the draft OZP and technical amendments (including revision of the exemption clause for filling or excavation of land in the Remarks of the "Conservation Area" ("CA") zone) in accordance with the latest version of the Master Schedule of Notes to Statutory Plans. Opportunities had also been taken to update the Explanatory Statement (ES) to reflect the latest status and planning circumstances of the draft OZP.

REPRESENTATIONS AND COMMENTS ON REPRESENTATIONS

4. During the exhibition of the draft OZP and the representations, 4 valid representations and 2 valid comments on the representations (comments) were

received. The representations and comments were considered together by the Town Planning Board (the Board) at its meeting held on 2 September 2022.

Representations

5. The major grounds and views of the representations were summarised below –

Opposing Representations (3 nos.)

Amendment Item A

Role of "GB" zone

- (a) the proposed housing development was against the planning intention of the "GB" zone. The site, which had close linkage with the adjacent habitat, served as a buffer area between residential area and ecologically sensitive area. As the site was vegetated and could only be accessible with the provision of a new access road in the area (b) of the proposed "R(C)7" zone, the rezoning of the site was not in line with the criteria of "GB" review and would set an undesirable precedent for similar cases and affect the integrity of the habitats;

Development Options for Increasing Housing Supply

- (b) alternative land supply options such as the use of brownfield and idle lands should be considered;
- (c) the proposed residential development would not be any type of affordable housing and could not meet the pressing need for affordable housing supply;
- (d) the proposed development intensity at the site was more on a high side as compared with the permitted development intensity of the other "R(C)" sub-areas. Given the projected decline in population due to accelerated surge in emigration and a number of large scale residential developments under construction in Sai Kung, the proposed residential development would further increase the number of unoccupied units in Sai Kung;

Landscape and Ecological Aspects

- (e) the proposed residential development would create adverse landscape and ecological impacts on the surrounding areas. There were a total of about 1,356 trees within or near the site. In view of the extensive site formation works for the proposed residential development, it was assumed that at least 1,000 trees would be felled. There were no Old and Valuable Trees (OVTs) recorded at the site because the OVTs designation mainly covered trees in the urban area or at locations of significant public interest. The trees on the site were in good

conditions from observation. It was also not justified to develop the site for a few hundred private units as extensive works and tree felling were required to provide an access within area (b);

- (f) there was no mention of transplanting or compensatory planting. There was a concern that the existing mechanism for tree compensation and transplantation which could not re-create an equivalent ecological value and integrity of a habitat would be adopted to meet the target of tree compensation;
- (g) adverse impact on the woodland was underestimated. Some flora species of conservation importance had also been recorded within the study area of the Engineering Feasibility Study. If those species were located within the site, removal of them from the woodland would be inevitable;
- (h) there were streamcourses running along the boundaries of area (a) and passing through area (b) and access to the main streamcourse would be severed;

Provision of Social Welfare Facilities

- (i) provision of elderly facilities within the proposed residential development by private developer was not promising as the private developer would find some ways to get rid of providing such facilities;

Amendments to the Notes of the OZP

Exemption Clause for filling or excavation of land in the Remarks of the "CA" zone

- (j) exemption of public works co-ordinated or implemented by the Government, which involved filling and excavation of land, within the "CA" zone from the requirement of planning permission would result in insufficient control. When considering the incorporation of the concerned exemption clause, the sensitivity of the conservation zones from the ecological and public interest perspectives, and whether the concerned area was subject to development pressure, should be duly considered; and

Representation Providing Views (1 no.)

Amendment Item A

Other Technical Aspects

- (k) the future developer should evaluate the potential risk on the town gas pipelines in the vicinity of the site along Clear Water Bay Road and recommend necessary mitigation measures. The Hong Kong and China Gas Co. Ltd. (R4) should be consulted in the design and

construction stages.

Comments on Representations (2 nos.)

6. Amongst the two comments received, one supported the two opposing representations against Amendment Item A on similar grounds, whilst the remaining one, which was also submitted by one of the representers (R2), reiterated the views stated in the representation.

The Board's Decision

7. After giving consideration to the representations and comments, the Board noted the views of R4 and decided not to uphold R1 to R3 and considered that the draft OZP should not be amended to meet the opposing representations for the following reasons –

- (a) the Government had been adopting a multi-pronged strategy to increase housing land supply for both public and private housing including review of “GB” sites on an on-going basis. Taking into account that there were no insurmountable technical problems identified for the proposed housing development on traffic, landscape, ecology, environmental and drainage aspects, it was considered suitable for rezoning the site to “R(C)7” for increasing the housing land supply (R1 and R2);
- (b) the site was intended for private housing development to maintain a healthy and stable development of private residential property market. The development intensity of the proposed development was considered appropriate taking into consideration the planning context and the findings of relevant technical assessments (R1 and R2);
- (c) there was an existing mechanism for the Government to require the provision of social welfare facilities at suitable land sale sites. The requirement for provision of social welfare facilities in the development would be specified in the land sale conditions as appropriate (R2); and
- (d) the incorporation of the exemption clause for filling or excavation of land pertaining to public works co-ordinated or implemented by the Government was to streamline the planning process. Incorporation of this exemption clause for the “CA” zone was in line with the latest revision of the Master Schedule of Notes to Statutory Plans (R3).

IMPLICATIONS OF THE PROPOSAL

8. The approval of the draft OZP itself had no civil service implication. The economic, financial, environmental, sustainability, family and gender implications are set out below.

9. On economic implications, the proposed development under Amendment Item A would provide about 330 private housing units, thereby helping to meet the overall housing demand in Hong Kong.

10. Regarding financial implications, the site under Amendment Item A would be disposed of by way of land sale and would generate positive land revenue. The construction cost of the new access road and pedestrian facilities proposed in area (b) of the "R(C)7" zone would be borne by the future developer under the land sale conditions. The actual amount of premium to be received would depend on market conditions at the time of the land sale and was yet to be determined at this stage.

11. Land resumption was not required. For the clearance exercise of the squatter structures in area (a) of the proposed "R(C)7" zone, the estimated cost for land clearance was not available at this stage. Funds required would be sought under Head 701 of Capital Works Reserve Fund in accordance with the established mechanism.

12. For the proposed Residential Care Home for the Elderly (RCHE) cum Day Care Unit (DCU) to be incorporated in the proposed residential development, the construction cost was yet to be determined. Funds required would be sought as per the established mechanism. Additional recurrent resources for the operation, management and maintenance of the RCHE cum DCU would be sought separately in accordance with the established mechanism.

13. On environmental implications, no insurmountable environmental impact associated with the proposed development was anticipated. The future developer was required to carry out environmental assessments to confirm the environmental acceptability and implement the recommended mitigation measures for the proposed development at the site under the lease as appropriate.

14. As far as sustainability implications are concerned, the proposed housing development with provision of elderly facilities and services could facilitate better utilization of land resources to meet the housing and social needs. The proposed housing development might have potential environmental impacts on the local area, suitable mitigation measures should be implemented to alleviate such possible impacts.

15. Regarding family implications, the proposed residential development would increase the supply of housing units, provide more housing options to potential buyers/tenants, facilitate family formation and improve the living environment of some families. Besides, the provision of social welfare facilities would help families with members who need special care to obtain the required welfare services, and create new employment opportunities in the area, which would help strengthen the financial ability of some families.

16. On gender implications, the proposed provision of RCHE within the proposed private housing development under Amendment Item A, if

materialised, would serve persons in need of both genders whose carers were often women. The proposal should therefore be conducive to relieving the burden of carers and facilitating their participation in the workforce.

PUBLIC CONSULTATION

17. Prior to exhibition of the draft OZP, the Housing, Planning and Environment Committee (HPEC) of the Sai Kung District Council (SKDC) was consulted on the proposed amendments to the Tseng Lan Shue OZP on 23 November 2021. The SKDC members did not raise objection to the proposal to increase housing land supply but expressed concerns on Amendment Item A including the access arrangement and compensation matters. The relevant issues were further discussed at the HPEC meetings on 18 January 2022 and 17 May 2022. In response to the SKDC members' concerns, relevant Government departments including the Planning Department, the Lands Department and the Highways Department, had issued replies in December 2021 and March 2022.

PUBLICITY

18. The approved Tseng Lan Shue OZP No. S/SK-TLS/10 will be printed and exhibited in accordance with section 9(5) of the Ordinance. A press release will be issued on the day of exhibition. A spokesman will be available for answering media enquiries.

A 19. The approved Tseng Lan Shue OZP No. S/SK-TLS/10 is at Annex A for Members' reference. A set of Notes listing out the uses which are always permitted and those which may be permitted on application to the Board is at A-I Enclosure I to Annex A. An ES in respect of the Tseng Lan Shue OZP No. A-II S/SK-TLS/10 is at Enclosure II to Annex A.

ENQUIRY

20. Any enquiry on this brief can be addressed to Ms Lily YAM, Assistant Director of Planning/Board, Planning Department (Tel. No. 2231 4606).

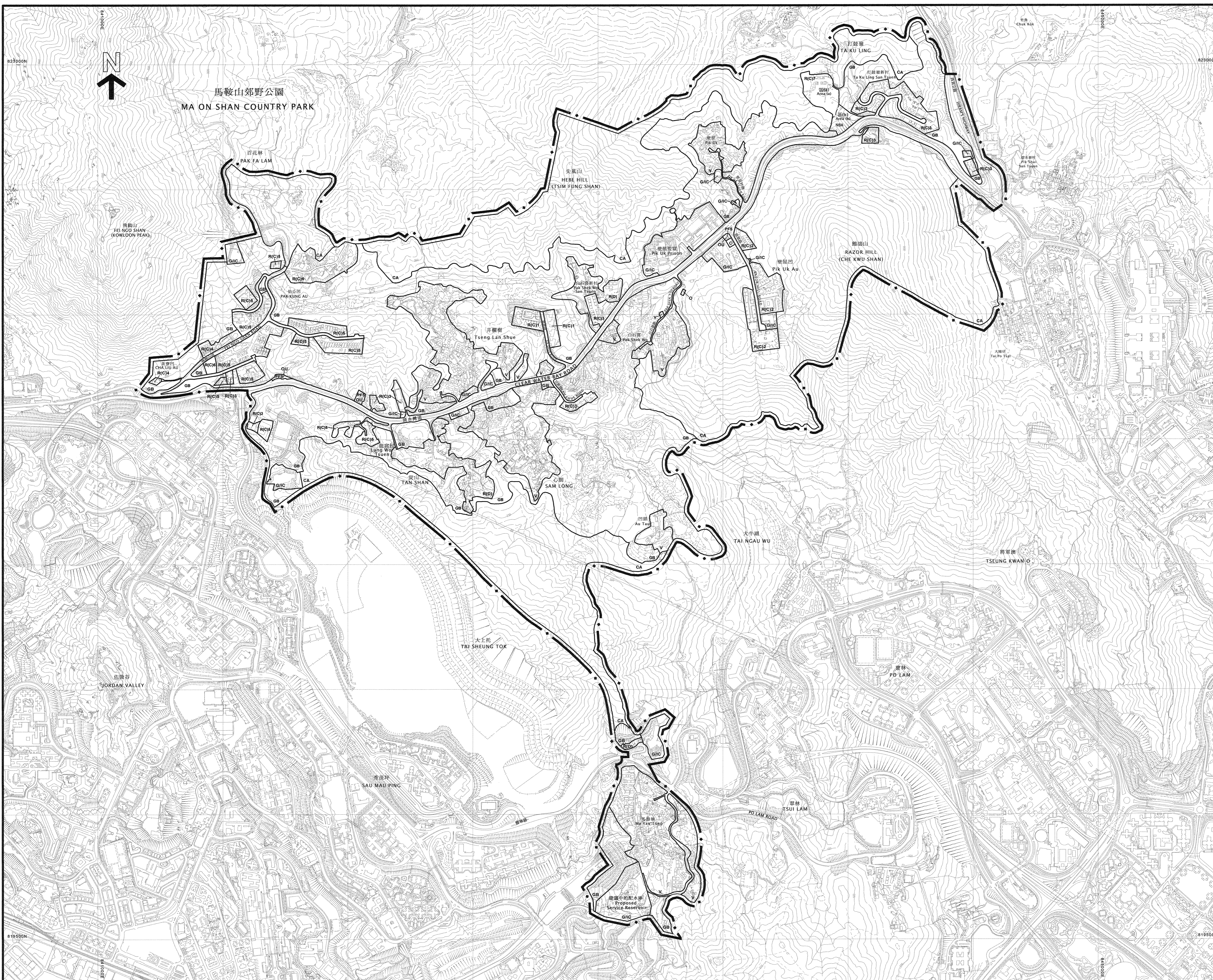
PLANNING DEPARTMENT
May 2023

APPROVED TSENG LAN SHUE OUTLINE ZONING PLAN
NO. S/SK-TLS/10

Annex A Approved Tseng Lan Shue Outline Zoning Plan (OZP) No. S/SK-TLS/10

Enclosure I : Notes to the Approved Tseng Lan Shue OZP No. S/SK-TLS/10

Enclosure II : Explanatory Statement of the Approved Tseng Lan Shue OZP No. S/SK-TLS/10



圖例
NOTATION

ZONES		地帶
COMMERCIAL	C	商業
RESIDENTIAL (GROUP C)	R(C)	住宅(丙類)
RESIDENTIAL (GROUP D)	R(D)	住宅(丁類)
VILLAGE TYPE DEVELOPMENT	V	鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	G/IC	政府、機構或社區
OPEN SPACE	O	休憩用地
OTHER SPECIFIED USES	OU	其他指定用途
GREEN BELT	GB	綠化地帶
CONSERVATION AREA	CA	自然保育區
COMMUNICATIONS		交通
MAJOR ROAD AND JUNCTION		主要道路及路口
MISCELLANEOUS		其他
BOUNDARY OF PLANNING SCHEME		規劃範圍界線
PETROL FILLING STATION	P F S	加油站
NON-BUILDING AREA	NBA	非建築用地

土地用途及面積一覽表
SCHEDULE OF USES AND AREAS

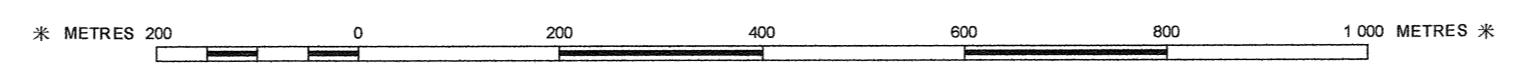
USES	大約面積及百分率 APPROXIMATE AREA & %		用途
	公頃 HECTARES	% 百分率	
COMMERCIAL	0.07	0.02	商業
RESIDENTIAL (GROUP C)	26.77	6.28	住宅(丙類)
RESIDENTIAL (GROUP D)	7.40	1.74	住宅(丁類)
VILLAGE TYPE DEVELOPMENT	38.37	9.01	鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	13.13	3.08	政府、機構或社區
OPEN SPACE	0.03	0.01	休憩用地
OTHER SPECIFIED USES	0.32	0.08	其他指定用途
GREEN BELT	141.63	33.25	綠化地帶
CONSERVATION AREA	176.67	41.47	自然保育區
MAJOR ROAD ETC.	21.58	5.06	主要道路等
TOTAL PLANNING SCHEME AREA	425.97	100.00	規劃範圍總面積

夾附的《註釋》屬這份圖則的一部分
THE ATTACHED NOTES ALSO FORM PART OF THIS PLAN

行政長官會同行政會議於2023年4月25日 根據城市
規劃條例第9(1)(a)條核准的圖則
APPROVED BY THE CHIEF EXECUTIVE IN COUNCIL UNDER
SECTION 9(1)(a) OF THE TOWN PLANNING ORDINANCE ON
25 APRIL 2023

Ms Carmen KONG 江嘉敏女士
CLERK TO THE EXECUTIVE COUNCIL 行政會議秘書

香港城市規劃委員會依據城市規劃條例擬備的井欄樹分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
TSENG LAN SHUE - OUTLINE ZONING PLAN



規劃署遵照城市規劃委員會指示擬備
PREPARED BY THE PLANNING DEPARTMENT UNDER
THE DIRECTION OF THE TOWN PLANNING BOARD

圖則編號
PLAN No. S/SK-TLS/10

APPROVED TSENG LAN SHUE OUTLINE ZONING PLAN NO. S/SK-TLS/10

(Being an Approved 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 boundaries between zones may be subject to minor adjustments as detailed planning proceeds.
- (8) The following uses or developments are always permitted on land falling within the boundaries of the Plan except (a) where the uses or developments are specified in Column 2 of the Notes of individual zones or (b) as provided in paragraph (9) in relation to areas zoned “Conservation Area”:
- (a) maintenance, repair or demolition of a building;
 - (b) provision, maintenance or repair of plant nursery, amenity planting, open space, rain shelter, refreshment kiosk, footpath, bus/public light bus stop or lay-by, cycle track, taxi rank, public utility pipeline, electricity mast, lamp pole, telephone booth, telecommunications radio base station, automatic teller machine and shrine;
 - (c) maintenance or repair of roads, watercourses, 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”,
- (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 and on-street vehicle park.

- (11) (a) Except in areas zoned "Conservation Area", temporary use or development of any land or building not exceeding a period of two months is always permitted provided that no site formation (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), and subject to temporary uses for open storage and port back-up purposes which are prohibited in areas zoned "Conservation Area", temporary use or development of any land or building not exceeding a period of three years requires permission from the Town Planning Board. Notwithstanding that the use or development is not provided for in terms of the Plan, the Town Planning Board may grant permission, with or without conditions, for a maximum period of three years, or refuse to grant permission.

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

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

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

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

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

APPROVED TSENG LAN SHUE OUTLINE ZONING PLAN NO. S/SK-TLS/10

Schedule of Uses

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COMMERCIAL

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Eating Place	Flat
Government Use (not elsewhere specified)	Government Refuse Collection Point
Information Technology and Telecommunications Industries	Hospital
Institutional Use (not elsewhere specified)	Petrol Filling Station
Library	Place of Entertainment
Off-course Betting Centre	Place of Recreation, Sports or Culture
Office	Private Club
Public Clinic	Recyclable Collection Centre
Public Convenience	Religious Institution
Public Utility Installation	Residential Institution
Public Vehicle Park (excluding container vehicle)	
School	
Shop and Services	
Social Welfare Facility	
Training Centre	
Utility Installation for Private Project	

Planning Intention

This zone is intended primarily for commercial developments, which may include shop, services and eating place, functioning mainly as local shopping centre serving the immediate neighbourhood.

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 1.0, a maximum site coverage of 60%, and a maximum building height of 2 storeys over one storey of carport 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) In determining the relevant 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.

(Please see next page)

COMMERCIAL (cont'd)

Remarks (cont'd)

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

RESIDENTIAL (GROUP C)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Flat Government Use (Police Reporting Centre, Post Office only) House Utility Installation for Private Project Social Welfare Facility (on land designated "R(C)7" only)	Ambulance Depot Eating Place Educational Institution Government Refuse Collection Point Government Use (not elsewhere specified) Institutional Use (not elsewhere specified) Library Place of Recreation, Sports or Culture Private Club Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Recyclable Collection Centre Religious Institution Residential Institution Rural Committee /Village Office School Shop and Services Social Welfare Facility (not elsewhere specified) Training Centre

Planning Intention

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

(Please see next page)

RESIDENTIAL (GROUP C) (cont'd)Remarks

- (a) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum plot ratio, site coverage and building height specified below, or the plot ratio, site coverage and height of the building which was in existence on the date of the first publication in the Gazette of the notice of the interim development permission area plan, whichever is the greater:

Sub-area	Maximum Plot Ratio	Maximum Site Coverage	Number of Storeys	Building Height
R(C)1	1.50	30%	5 storeys over one storey of carport	18m
R(C)2	0.75	37.5%	2 storeys over one storey of carport	9m
	0.75	25%	or 3 storeys over one storey of carport	12m
R(C)3	0.60	30%	2 storeys over one storey of carport	9m
R(C)4	0.50	25%	2 storeys over one storey of carport	9m
R(C)5	0.40	20%	2 storeys over one storey of carport	9m
R(C)6	0.25	12.5%	2 storeys over one storey of carport	9m

- (b) On land designated “Residential (Group C)7”, 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 23,466m² in Areas (a) and (b), and a maximum building height of 7 storeys (24m) in Area (a), or the GFA and height of the existing building, whichever is the greater. Besides, any floor space that is constructed or intended for use solely as Government, institution or community facilities, as required by the Government, may be disregarded.
- (c) In determining the relevant maximum plot ratio, GFA, and site coverage 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 and caretaker’s office, or caretaker’s quarters and 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) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio, GFA, site coverage and building height restrictions stated in paragraphs (a) and (b) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(Please see next page)

RESIDENTIAL (GROUP C) (cont'd)

Remarks

- (e) Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the non-building area restriction as shown on the Plan may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

RESIDENTIAL (GROUP D)

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

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

Eating Place
 Library
 School
 Shop and Services

Planning Intention

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

(Please see next page)

RESIDENTIAL (GROUP D) (cont'd)Remarks

- (a) No addition, alteration and/or modification to or in-situ redevelopment of an existing temporary structure or an existing building (except to 'New Territories Exempted House' or to those annotated with #) shall result in a total development and/or redevelopment in excess of a maximum building area of 37.2m² and a maximum building height of 2 storeys (6m), or the building area and height of the building which was in existence on the date of the first publication in the Gazette of the notice of the interim development permission area plan, whichever is the greater.
- (b) 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, a maximum site coverage of 20% and a maximum building height of 2 storeys (6m).
- (c) In determining the relevant maximum plot ratio and site coverage 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 and caretaker's office, or caretaker's quarters and 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) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio, site coverage and building height restrictions stated in paragraph (b) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

VILLAGE TYPE DEVELOPMENT

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

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

Eating Place
 Library
 School
 Shop and Services

Planning Intention

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

(Please see next page)

VILLAGE TYPE DEVELOPMENT (cont'd)Remarks

- (a) No new development, or addition, alteration and/or modification to or redevelopment of an existing building (except development or redevelopment to those annotated with #) shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23m) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the interim development permission area plan, whichever is the greater.
- (b) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

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	Holiday Camp
Institutional Use (not elsewhere specified)	House (other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes)
Library	Off-course Betting Centre
Market	Office
Place of Recreation, Sports or Culture	Petrol Filling Station
Public Clinic	Place of Entertainment
Public Convenience	Private Club
Public Transport Terminus or Station	Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation
Public Utility Installation	Refuse Disposal Installation (Refuse Transfer Station only)
Public Vehicle Park (excluding container vehicle)	Residential Institution
Recyclable Collection Centre	Sewage Treatment/Screening Plant
Religious Institution	Shop and Services (not elsewhere specified)
Research, Design and Development Centre	Utility Installation for Private Project
Rural Committee/Village Office	Zoo
School	
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, and 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 Field Study/Education/Visitor Centre Park and Garden Pavilion Pedestrian Area Picnic Area Playground/Playing Field Public Convenience Sitting Out Area Zoo	Eating Place Government Refuse Collection Point Government Use (not elsewhere specified) Holiday Camp Place of Entertainment Place of Recreation, Sports or Culture Private Club Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Religious Institution Service Reservoir Shop and Services Tent Camping Ground Utility Installation for Private Project

Planning Intention

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

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 'Petrol Filling Station' Only

Petrol Filling Station

Government Use
Public Utility Installation**Planning Intention**

This zone is intended primarily for the provision of petrol filling station serving the needs of the community.

GREEN BELT

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Barbecue Spot Government Use (Police Reporting Centre only) Nature Reserve Nature Trail On-Farm Domestic Structure Picnic Area Public Convenience Tent Camping Ground Wild Animals Protection Area	Animal Boarding Establishment Broadcasting, Television, and/or Film Studio Burial Ground Columbarium (within a Religious Institution or extension of existing Columbarium only) Crematorium (within a Religious Institution or extension of existing Crematorium only) Field Study/Education/Visitor Centre 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 School Service Reservoir Social Welfare Facility Utility Installation for Private Project

Planning Intention

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

(Please see next page)

GREEN BELT (cont'd)

Remark

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 draft Tseng Lan Shue Outline Zoning Plan No. S/SK-TLS/6 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 (other than Plant Nursery)	Field Study/Education/Visitor Centre
Country Park*	Government Refuse Collection Point
Nature Reserve	Government Use (not elsewhere specified)
Nature Trail	House (Redevelopment only)
On-Farm Domestic Structure	Public Convenience
Picnic Area	Public Utility Installation
Wild Animals Protection Area	Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation
	Tent Camping Ground
	Utility Installation for Private Project

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

Planning Intention

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

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

Remarks

- (a) No redevelopment, including alteration and/or modification, of an existing house shall result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication in the Gazette of the notice of the interim development permission area plan.
- (b) 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 draft Tseng Lan Shue Outline Zoning Plan No. S/SK-TLS/6 without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

APPROVED TSENG LAN SHUE OUTLINE ZONING PLAN NO. S/SK-TLS/10

EXPLANATORY STATEMENT

APPROVED TSENG LAN SHUE OUTLINE ZONING PLAN NO. S/SK-TLS/10

EXPLANATORY STATEMENT

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APPROVED TSENG LAN SHUE OUTLINE ZONING PLAN NO. S/SK-TLS/10

(Being an Approved Plan for the purposes of the Town Planning Ordinance)

EXPLANATORY STATEMENT

Note : For the purposes of the Town Planning Ordinance, this statement shall not be deemed to constitute a part of the Plan.

1. **INTRODUCTION**

This Explanatory Statement is intended to assist an understanding of the approved Tseng Lan Shue Outline Zoning Plan (OZP) No. S/SK-TLS/10. 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 within the OZP was previously included in the Tseng Lan Shue Interim Development Permission Area (IDPA) Plan No. IDPA/SK-TLS/1, which was prepared by the Director of Planning and notified in the Gazette on 12 October 1990. The land within the IDPA Plan was subsequently included in the draft Tseng Lan Shue Development Permission Area (DPA) Plan No. DPA/SK-TLS/1, which was prepared by the Board and notified in the Gazette on 12 July 1991.
- 2.2 On 3 February 1993, the then Governor, under section 3(1)(a) of the Town Planning Ordinance (the Ordinance), directed the Board to include the area covered by the Anderson Road Quarries into the draft Kwun Tong (North) OZP No. S/K14N/1. As part of the quarry area was covered by the draft DPA Plan, corresponding amendment to the planning scheme boundary to excise that part of the quarry area from the draft DPA Plan was required.
- 2.3 On 21 May 1993, the amended DPA Plan No. DPA/SK-TLS/2 incorporating the planning scheme boundary adjustments and other amendments was exhibited for public inspection under section 7 of the Ordinance. Since then, the DPA Plan had been amended and exhibited for public inspection under section 7 of the Ordinance to reflect the changing circumstances.
- 2.4 On 5 July 1994, the then Governor in Council, under section 9(1)(a) of the Ordinance, approved the draft DPA Plan which was subsequently renumbered as DPA/SK-TLS/4. On 8 July 1994, the approved DPA Plan was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.5 On 17 May 1993, a directive was given by the then Governor pursuant to section 3(1)(a) of the Ordinance for the Board to prepare an OZP for the area of Tseng Lan Shue. On 8 July 1994, the draft Tseng Lan Shue OZP No. S/SK-TLS/1 was exhibited for public inspection under section 5 of the Ordinance. Since then, the OZP had been amended and exhibited for public inspection under section 7 of the Ordinance to reflect the changing circumstances.

- 2.6 On 1 June 1999, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft OZP, which was subsequently renumbered as S/SK-TLS/3. On 22 June 1999, the CE in C referred the approved OZP to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. Since then, pursuant to section 12(3) of the Ordinance, the OZP had been amended and exhibited for public inspection.
- 2.7 On 27 June 2000, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Tseng Lan Shue OZP, which was subsequently renumbered as S/SK-TLS/5. On 17 February 2004, the CE in C referred the approved Tseng Lan Shue OZP to the Board for amendment under section 12(1)(b)(ii) of the Ordinance.
- 2.8 On 2 July 2004, the draft Tseng Lan Shue OZP No. S/SK-TLS/6 incorporating various amendments was exhibited for public inspection under section 5 of the Ordinance. These amendments include rezoning a number of sites to reflect the existing uses at Pak Shek Wo San Tsuen and Ma Yau Tong, and revising the Notes of the Plan in accordance with the revised Master Schedule of Notes to Statutory Plans endorsed by the Board. During the exhibition period, no objection was received.
- 2.9 On 15 April 2005, the draft Tseng Lan Shue OZP No. S/SK-TLS/7, incorporating mainly amendment to the definition of “existing building” in the covering Notes, was exhibited for public inspection under section 7 of the Ordinance. During the exhibition period, no objection was received.
- 2.10 On 14 March 2006, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Tseng Lan Shue OZP, which was subsequently renumbered as S/SK-TLS/8. On 24 March 2006, the approved Tseng Lan Shue OZP was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.11 On 2 February 2021, the CE in C referred the approved Tseng Lan Shue OZP 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 11 February 2021 under 12(2) of the Ordinance.
- 2.12 On 25 February 2022, the draft Tseng Lan Shue OZP No. S/SK-TLS/9 incorporating amendment for rezoning a site in Ta Ku Ling from “Green Belt” to “Residential (Group C)7” was exhibited for public inspection under section 5 of the Ordinance. During the two-month exhibition period, a total of four representations were received. On 13 May 2022, the representations were published for three weeks for public comment and two comments on the representations were received. After giving consideration to the representations and comments on 2 September 2022, the Board decided not to uphold the representations.
- 2.13 On 25 April 2023, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Tseng Lan Shue OZP, which was subsequently renumbered as S/SK-TLS/10. On 5 May 2023, the approved Tseng Lan Shue OZP No. S/SK-TLS/10 (the Plan) was exhibited for public inspection under section 9(5) of the Ordinance.

3. OBJECT OF THE PLAN

- 3.1 The object of the Plan is to indicate broad land-use zonings and major transport networks for the Tseng Lan Shue 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 within the Planning Scheme Area. It is a small-scale plan and the road alignments and boundaries between the land-use zones may be subject to minor adjustments as detailed planning and development proceed.
- 3.3 Since the Plan is to show broad land use zoning, there would be cases that small strips of land not intended for building development purposes and carry no development right under the lease, such as the areas restricted as non-building area (NBA) or 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 calculation. Development within residential zones should be restricted to building lots carrying development right in order to maintain the character and amenity of the Area and not to overload its road network.

4. NOTES OF THE PLAN

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

5. THE PLANNING SCHEME AREA

- 5.1 The Planning Scheme Area (the Area) covered by the Plan is about 426 ha. It is bounded by Hiram's Highway in the east, Ma On Shan Country Park in the north, Fei Ngo Shan in the west, and Tai Sheung Tok and Tseung Kwan O in the south. The boundary of the Area is shown in a heavy broken line on the Plan.
- 5.2 The Plan covers both the Tseng Lan Shue and Ma Yau Tong areas. The Tseng Lan Shue area is bisected by Clear Water Bay Road and is characterised by a variety of land-uses including low-density residential development, village housing, crop cultivation, horticulture and livestock rearing. Tseng Lan Shue (including Au Tau and Pak Shek Wo), Pik Uk and Ma Yau Tong are traditional villages, while other village-type developments are found in Lung Wo Tsuen,

Tan Shan, Sam Long and Pak Shek Wo San Tsuen. Low-rise residential developments are concentrated along Fei Ngo Shan Road and Razor Hill Road and in Ta Ku Ling area.

- 5.3 Existing village settlements and their associated agricultural activities are generally confined to the several valleys adjacent to Clear Water Bay Road and the broad spur running south-east from Sam Long to Au Tau.
- 5.4 A small industrial enclave has been established on both sides of Clear Water Bay Road to the west of Tseng Lan Shue Village. To the north of Clear Water Bay Road, the industrial uses are relatively isolated. However, to the south, particularly in the narrow Tan Shan valley, the industrial uses have created undesirable environmental impacts due to haphazard development and proximity to existing houses.
- 5.5 The Ma Yau Tong area is located south of Po Lam Road. The area mainly comprises village-type developments and some small-scale industrial workshops. There is an infiltration of open storage activities into this area.

6. POPULATION

Based on the 2016 Population By-Census, the population of the Area as estimated by the Planning Department was about 10,250. The majority of the existing population is mainly distributed in the low-density residential areas and the various villages. It is estimated that the planned population of the Area would be about 12,520.

7. OPPORTUNITIES AND CONSTRAINTS

- 7.1 There is pressure for development in the Area particularly in those areas along Clear Water Bay Road. The Area is in close proximity to East Kowloon and Tseung Kwan O. With the opening of Tseung Kwan O Tunnel in 1990, Tate's Cairn Tunnel in 1991 and MTR Tseung Kwan O Line in 2002, the accessibility of the Area is enhanced. Good accessibility coupled with the scenic environment have resulted in high development pressure in the Area.
- 7.2 Further development in the Area is however restricted by the limited capacity of Clear Water Bay Road, which is nearing capacity. Poor local access is another development constraint.
- 7.3 Besides, there is a general lack of flat land. The Area is characterised by steep terrain and hillslopes, covered with natural vegetation and mature woodland. The surrounding countryside and hillslopes are areas of significant landscape value worthy of conservation and should be protected from further development.
- 7.4 The area to the north of Pak Kung Au falls within the upper indirect water gathering ground. To protect the water resources from being contaminated by wastes and pollutants, developments in this area would be strictly controlled.

8. GENERAL PLANNING INTENTION

- 8.1 The planning intention for the Area is primarily to conserve the natural landscape features and the rural character of the area. Except for the village expansion areas designated to meet the outstanding Small House demand of the recognised villages, the planning intention is to confine residential developments to the already established areas mainly along Fei Ngo Shan Road and Razor Hill Road and in Ta Ku Ling area, as well as to maintain such developments to their existing and committed intensity. It is also intended to phase out incompatible industrial activities in Lung Wo Tsuen, Tan Shan and Ma Yau Tong, and to upgrade the obsolete and sub-standard housing stock with the provision of the necessary basic infrastructure.
- 8.2 In the designation of various zones in the Area, consideration has been given to the natural environment, physical landform, existing settlement, land status, availability of infrastructure and local development pressures, Territorial Development Strategy and other studies. Moreover, buildings and places of historical and archaeological interest should be preserved in the Area as far as possible.

9. LAND-USE ZONINGS

9.1 Commercial (“C”) : Total Area 0.07 ha

- 9.1.1 The planning intention of this zone is primarily for commercial developments, which may include shop, services and eating place, functioning mainly as local shopping centre serving the immediate neighbourhood. In order to be compatible with the low-rise and low-density character of the neighbourhood, building developments in this zone are restricted to a maximum plot ratio of 1.0, a maximum site coverage of 60% and a building height not exceeding 2 storeys over one storey of carport.
- 9.1.2 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the plot ratio, site coverage and building height restrictions may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.
- 9.1.3 This zone is located at Razor Hill Road and covers an existing development for a supermarket with ancillary car-parking facilities.

9.2 Residential (Group C) (“R(C)”) : Total Area 26.77 ha

- 9.2.1 The planning intention of this zone is primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board. This zone is divided into seven sub-areas:

- (a) Residential (Group C) 1 (“R(C)1”) – the residential development in this sub-area is subject to a maximum plot ratio of 1.5, a maximum site coverage of 30% and a height not exceeding 18m with 5 storeys over one storey of carport.

This sub-area covers two residential sites, namely Clear Water Bay Apartments and Hillview Court, along Ka Shue Road east of Tseng Lan Shue Village.

- (b) Residential (Group C) 2 (“R(C)2”) – the residential development in this sub-area is subject to a maximum plot ratio of 0.75, either with a maximum site coverage of 37.5% and a height not exceeding 9m with 2 storeys over one storey of carport, or a maximum site coverage of 25% and a height not exceeding 12m with 3 storeys over one storey of carport.

This sub-area covers residential sites on both sides of Razor Hill Road which have already been developed.

- (c) Residential (Group C) 3 (“R(C)3”) – the residential development in this sub-area is subject to a maximum plot ratio of 0.6, a maximum site coverage of 30% and a height not exceeding 9m with 2 storeys over one storey of carport.

This sub-area covers the existing Ta Ku Ling San Tsuen, which is the largest development under this sub-area, Pak Shek Wo and other residential sites scattering along Clear Water Bay Road.

Two areas to the west of Tseng Lan Shue Village currently used for industrial purpose are also included in this sub-area to encourage redevelopment for residential uses so as to facilitate environmental improvement in this area.

- (d) Residential (Group C) 4 (“R(C)4”) – the residential development in this sub-area is subject to a maximum plot ratio of 0.5, a maximum site coverage of 25% and a height not exceeding 9m with 2 storeys over one storey of carport.

This sub-area covers a small number of existing residential developments in the Fei Ngo Shan area.

- (e) Residential (Group C) 5 (“R(C)5”) – the residential development in this sub-area is subject to a maximum plot ratio of 0.4, a maximum site coverage of 20% and a height not exceeding 9m with 2 storeys over one storey of carport.

This sub-area covers a majority of existing residential developments in the Fei Ngo Shan area as well as the development in Lung Wo Tsuen.

- (f) Residential (Group C) 6 (“R(C)6”) – the residential development in this sub-area is subject to a maximum plot ratio of 0.25, a maximum site coverage of 12.5% and a height not exceeding 9m with 2 storeys over one storey of carport.

This sub-area covers mainly the existing residential developments at Pak Kung Au in the Fei Ngo Shan area.

- (g) Residential (Group C) 7 (“R(C)7”) – this sub-area is divided into two portions. Area (a) includes an area designated for residential development and a private lot with an existing house. Area (b) is designated as a NBA. The development in this sub-area is subject to a maximum gross floor area (GFA) of 23,466m² in Areas (a) and (b), and a maximum building height of 7 storeys (24m) in Area (a). Social welfare facilities including a Residential Care Home for the Elderly cum Day Care Unit shall be provided in Area (a). Any floor space that is constructed or intended for use solely as Government, institution or community (GIC) facilities as required by the Government, may be disregarded. The GFA control is regarded as being stipulated in a “new or amended statutory plan” according to the Joint Practice Note No. 4 “Development Control Parameters Plot Ratio/Gross Floor Area”, and shall be subject to the streamlining arrangements stated therein.

Area (b) is designated as a NBA and no development shall be permitted in the NBA. To facilitate the provision of access connection with Clear Water Bay Road, access road, pedestrian facilities and such related facilities may be allowed in the NBA. A minor relaxation clause has been incorporated in the Notes of the “R(C)” zone to allow minor relaxation of the stated NBA restriction under exceptional circumstances based on individual merits.

This sub-area covers a site at Ta Ku Ling intended for low-density residential development with social welfare facilities and a private lot with an existing house.

- 9.2.2 The above residential sub-areas mainly reflect the existing character and development intensity. The reasons for the development restrictions are mainly to conserve the existing character and intensity of the developments so as to blend in well with the surrounding natural environment and rural character as well as not to overload the limited infrastructural facilities, particularly the transport network in the Area.

- 9.2.3 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the plot ratio, GFA, site coverage and building height restrictions may be considered by the Board through the planning permission system.

Each proposal will be considered on its individual planning merits.

- 9.2.4 Some scattered areas outside existing private residential lots within this zone may not be suitable for residential development. Their suitability for development or inclusion into adjoining lots for development would be assessed individually at the land administration stage based on their visual and amenity value, accessibility and geotechnical, environmental, infrastructure and traffic impacts.

9.3 Residential (Group D) (“R(D)”) : Total Area 7.40 ha

- 9.3.1 The planning intention of this zone is 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 Board. This is in line with the government policy of designating ‘residential upgrading areas’ in the urban fringe in the late 1980’s to encourage self improvement or redevelopment of temporary domestic structures by properly designed permanent houses. Within this zoned area, new replacement houses are encouraged to be constructed in permanent materials. Each plot shall be provided with water supply and connections for sewage disposal. To avoid pollution, the site shall be connected to a government reticulatory sewage treatment facilities. For safety and hygienic purposes, fire hydrants and refuse collection points shall be provided. Replacement housing for temporary structures shall not result in a total redevelopment in excess of a maximum building area of 37.2m² and a maximum building height of 2 storeys (6m). Residential development (other than ‘New Territories Exempted House’) shall not result in a total development in excess of a maximum plot ratio of 0.2, a maximum site coverage of 20% and a maximum building height of 2 storeys (6m).
- 9.3.2 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the plot ratio, site coverage and building height restrictions may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.
- 9.3.3 Three sites, namely Tan Shan, Pak Shek Wo San Tsuen and an area to the west of Sunnyside School are covered by this zoning. They consist of a mixture of squatter housing, temporary workshops and livestock rearing units, many of which are built with temporary materials. The lack of proper control together with the relatively easy accessibility have attracted infiltration of undesirable uses adversely affecting the environment.
- 9.3.4 The designation of the areas for “R(D)” could encourage redevelopment of buildings in a poor state and to provide them with

necessary basic infrastructural provision. This zoning provides the opportunity and incentive for individual owners or developers to improve and upgrade the areas. Besides, it provides a proper planning control on the redevelopment and ensures the provision of basic facilities to serve these developments.

9.4 Village Type Development (“V”) : Total Area 38.37 ha

- 9.4.1 The planning intention of this zone is to designate both existing recognised villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Town Planning Board.
- 9.4.2 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height restriction stated in the Notes may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.
- 9.4.3 The boundaries of the “V” zones are drawn up having regard to the existing village “environs”, outstanding Small House demand for the next ten years, topography and site constraints. Areas of difficult terrain, dense vegetation, streamcourses and burial grounds are not included in the zone. Village expansion areas and other infrastructural improvements will be guided by detailed layout plans.
- 9.4.4 All three recognised villages in the Area are zoned “V”. They are Tseng Lan Shue (including Au Tau and Pak Shek Wo), Pik Uk and Ma Yau Tong. Sufficient developable land have been reserved to meet the Small House demand.
- 9.4.5 All villages have vehicular access via some sub-standard local roads and are supplied with potable water, town gas, electricity and telephone services. As public drainage and sewerage systems are not available, sewage disposal and surface run-off are treated by septic tanks and soakaway system or direct discharge into streamcourses or fields.
- 9.4.6 Some proposals for vehicular access upgrading and environmental improvement of villages to help consolidate the village fabric have mostly been planned or implemented in the Rural Planning and Improvement Strategy Development Programmes or the Rural Public Works Programme.

- 9.5 Government, Institution or Community (“G/IC”) : Total Area 13.13 ha
- 9.5.1 The planning intention of this zone is primarily for the provision of GIC facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.
- 9.5.2 There are a number of GIC uses in the Area including Pik Uk Prison, Pik Uk Quarters at Razor Hill located opposite the prison, the Wing Lung Bank Gold Jubilee Sheltered Workshop and Hostel at Razor Hill and the Sunnyside School for the mentally handicapped children near Ma Yau Tong. Two existing break pressure tanks of the Water Supplies Department in Pik Uk and along Hiram’s Highway respectively and an existing refuse collection point in Tseng Lan Shue along Clear Water Bay Road are also zoned “G/IC”. Various service reservoirs including the Fei Ngo Shan Service Reservoir, the Anderson Road Service Reservoir and the proposed Ma Yau Tong Primary Service Reservoir are also under this zoning. Additional “G/IC” sites are reserved for a refuse collection point at Razor Hill and the provision of car-parks along Clear Water Bay Road. An undesignated “G/IC” site is located in Pik Uk.
- 9.6 Open Space (“O”) : Total Area 0.03 ha
- 9.6.1 The planning intention of this zone is primarily for the provision of outdoor open-air space for active and/or passive recreational uses serving the needs of local residents as well as the general public.
- 9.6.2 An existing playground to the east of Pak Shek Toi Road is zoned for such purpose.
- 9.7 Other Specified Uses (“OU”) : Total Area 0.32 ha
- 9.7.1 The planning intention of this zone is primarily for the provision of petrol filling station serving the needs of the community.
- 9.7.2 Three petrol filling station sites along Clear Water Bay Road in Fei Ngo Shan, at Razor Hill and to the north of Lung Wo Tsuen are under this zoning and in operation already.
- 9.8 Green Belt (“GB”) : Total Area 141.63 ha
- 9.8.1 The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. Development within this zone will be strictly controlled. Any building development will require permission from the Board and development proposals will be considered on their individual

merits taking into account the relevant Guidelines published by the Board.

- 9.8.2 This zone includes the lower hillslopes of Fei Ngo Shan and Hebe Hill, the vegetated land in Pak Kung Au, Tseng Lan Shue, Sam Long and Au Tau, and the roadside amenity areas along Clear Water Bay Road.
- 9.8.3 As filling and excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities except public works co-ordinated or implemented by the Government, and maintenance, repair or rebuilding works.

9.9 Conservation Area (“CA”) : Total Area 176.67 ha

- 9.9.1 The planning intention of this zone is to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.
- 9.9.2 This zone comprises hillslopes with natural vegetation and mature woodland which are of significant landscape value. These areas include the Hebe Hill, Razor Hill and the hillslopes in the north-eastern part of the Anderson Road Quarries Rehabilitation Scheme area at Tai Sheung Tok.
- 9.9.3 Filling 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 except public works co-ordinated or implemented by the Government, and maintenance, repair or rebuilding works.

10. COMMUNICATIONS

10.1 Road Network

- 10.1.1 Clear Water Bay Road functions as the primary link between the Tseng Lan Shue area and East Kowloon. Between Fei Ngo Shan and its junction with Hiram’s Highway, the section of Clear Water Bay Road has been improved to dual carriageway standard.
- 10.1.2 The main access to the Ma Yau Tong area is via Po Lam Road, which links the area with Kowloon in the west and Tseung Kwan O in the

east, and the substandard Ma Yau Tong Road.

- 10.1.3 Land has also been reserved for junction improvement of local access roads which are to be implemented mainly under the Rural Public Works Programme.

10.2 Public Transport Provision

The Area is served by public transport including franchised buses, public light buses and green mini-buses running along Clear Water Bay Road and Hiram's Highway to and from Sai Kung Town and East Kowloon. Many parts of the Area are also served by taxis.

11. UTILITY SERVICES

- 11.1 Part of the Tseng Lan Shue area is covered by public sewerage system while majority of the area is unsewered. New developments should be provided with adequate sewage treatment and disposal facilities in the unsewered area. Public sewerage system is being provided to the area progressively. The construction of sewerage system for Cha Liu Au and Pak Kung Au was substantially completed in 2018. The construction of sewerage system for Tseng Lan Shue and Sam Long was commenced in 2020 for completion by end 2025. The construction of sewerage system for Ma Yau Tong and Au Tau was commenced in 2020 for completion by 2024 and 2025 respectively. For Tan Shan, Pak Shek Wo and Pik Uk Au, the sewerage system is under planning. The planning of sewerage system for Pik Uk and Ta Ku Ling San Tsuen is to be confirmed.
- 11.2 Potable water is supplied to most part of the Tseng Lan Shue area by Fei Ngo Shan Fresh Water Service Reservoir, which has already been fully utilised to serve the existing development. Any substantial increase in population shall require additional water supply facilities.
- 11.3 Gas supply, electricity and telephone services are available in the Area. It is envisaged that there will be no significant problem to provide such services to the new developments.

12. CULTURAL HERITAGE

Some buildings/structures/sites which are of cultural heritage significance are located within the Area. Yau Ancestral Hall, an old village house No. 43 in Tseng Lan Shue, and another old village house, namely Li Ancestral Hill in Ma Yau Tong are recorded as historic buildings. The Antiquities and Monuments Office of the Development Bureau should be consulted well in advance on any development or redevelopment affecting these sites and their immediate environs.

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 Notwithstanding the above, some improvement works, e.g. road widening and laying of utility services will be implemented through the Rural Public Works Programme 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 zoning 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 was 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 planning applications, will take into account all relevant planning considerations which may include the departmental plans and guidelines published by the Board. Guidelines published by the Board are available from the Board's website, the Secretariat of the Board and the Technical Service Division of the Planning Department. Application forms and Guidance Notes for planning application can be downloaded from the Board's website and are available from the Secretariat of the Board, the Technical Services Division and the relevant District Planning 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 12 October 1990 on land included in a plan of the Tseng Lan Shue IDPA may be subject to enforcement proceedings under the Ordinance. Any filling of land and excavation of land in the relevant zones on or after the exhibition of the specific plan referred to in the Notes of the relevant zones without the permission from the Board may also be subject to enforcement proceedings.

**TOWN PLANNING BOARD
MAY 2023**