

LEGISLATIVE COUNCIL BRIEF

Town Planning Ordinance
(Chapter 131)

APPROVED SHA LO WAN AND SAN TAU OUTLINE ZONING PLAN NO. S/I-SLW/2

INTRODUCTION

A At the meeting of the Executive Council on 6 December 2022, the Council ADVISED and the Chief Executive ORDERED that the draft Sha Lo Wan and San Tau Outline Zoning Plan (OZP) No. S/I-SLW/1A should be approved under section 9(1)(a) of the Town Planning Ordinance (the Ordinance). The plan is now renumbered as No. S/I-SLW/2 at Annex A.

THE DRAFT OZP

2. On 27 August 2021, the draft Sha Lo Wan and San Tau OZP No. S/I-SLW/1 (the draft OZP) was exhibited for public inspection under section 5 of the Ordinance. On the same day, the draft Sha Lo Wan and San Tau Development Permission Area Plan No. DPA/I-SLW/1 (the DPA Plan) covering the same area on the draft OZP ceased to be effective in accordance with section 20(6) of the Ordinance as the land in respect of the DPA Plan was included in the draft OZP gazetted on that day. The plan-making process for the DPA Plan did not proceed further.

REPRESENTATIONS AND COMMENTS ON REPRESENTATIONS

3. During the exhibition of the draft OZP, a total of 52 valid representations were received. On 3 December 2021, the representations were published for comment, and four valid comments on representations (comments) were received. On 31 May 2022, the Chief Executive agreed under section 8(2) of the Ordinance to extend the statutory time limit for the Board to submit the draft OZP to the CE in C for approval for a period of six months, i.e. from 27 July 2022 to 27 January 2023. The representations and comments were considered by the Board at its meetings held on 6 June 2022 and 22 July 2022.

Supportive Representations and Representations Providing Views (9)

4. The major grounds/views of the supportive representations and representations providing views are summarised below –

Planning Intention

- (a) the general planning intention of the draft OZP to conserve the landscape and ecological values in safeguarding the natural habitat and rural character of the area was supported. The draft OZP could ensure proper planning and development control and protect the rural and natural character with conservation value of the area;

Conservation of Natural Environment and Habitats

- (b) a wide variety of important habitats for species of high conservation value were found in the area. They should be adequately protected from any development and potential pollution. Marshes and other intertidal zones, mangroves, woodlands, streams and 30m buffer area on both sides of rivers should be protected by more stringent zonings (such as "Conservation Area" ("CA") zone). All natural coastal areas should be zoned "Coastal Protection Area" ("CPA");
- (c) the distribution of seagrasses at San Tau Beach Site of Special Scientific Interest (SSSI) might have expanded over time. A survey should be conducted to review the latest situation and the boundary of SSSI should be expanded to cover the entire seagrass bed;
- (d) "Green Belt" ("GB") zone was considered inadequate to protect the natural habitats against undesirable development as the Board approved the rezoning of "GB" for other purposes on a regular basis. Shrubland and grassland should be zoned "CA" or "Green Belt(1)" ("GB(1)"), in which redevelopment of an existing house should be restricted to its existing bulk;
- (e) more stringent planning control should be imposed on agricultural land near ecologically sensitive area. Existing agricultural land clusters should be zoned "GB(1)" or "Agriculture(2)" where no house development should be allowed. New Territories Exempted House (NTEH) should be precluded from Column 1 and 2 uses in zones with good quality agricultural land or woodlands;
- (f) the septic tank and soakaway (STS) systems commonly used by villages would pollute the environment and pose health hazards to the villagers;
- (g) an area to the west of San Tau School, adjoining a natural stream, was a secondary woodland forming part of a larger woodland but it was zoned "Village Type Development" ("V"). Developments in the "V" zone with septic tank discharge would pose threat to the ecology of the stream;

Representers' Proposals

- (h) the "SSSI" zone, which currently covered the landward portion of San Tau Beach SSSI only, should be extended to cover the entire SSSI including the seaward portion;
- (i) to rezone an area to the west of San Tau School and two patches of woodland/vegetated land in Sha Lo Wan from "V" to "GB". To rezone a patch of woodland to the east of Sha Lo Wan Village from "V" to "GB", "GB(1)" or "CA";
- (j) to rezone a strip of mature woodland in Sha Lo Wan from "GB" to "CA";

Rural Development and "V" Zone

- (k) an incremental approach should be adopted in designating the "V" zones based on genuine small house (SH) demand. The boundaries of villages should not be extended beyond the 'village environs' (VE). "V" zone should be restricted to the existing village clusters only. Designating government land to the east of Sha Lo Wan Village as "V" would set a bad precedent to encourage encroachment on government land;
- (l) SH Policy should be reviewed to restrict newly built NTEH to be sold or let to non-indigenous villagers;
- (m) the existing agricultural land and house lots should be retained;
- (n) more land should be reserved for recreational and community facilities;
- (o) Sites of Archaeological Interest and cultural heritage should be protected by designating adequate buffer zone;

Unauthorised Development

- (p) there were suspected unauthorised land excavation and vegetation clearance at Tung O Ancient Trail and Sha Lo Wan. Concerted efforts from relevant departments were required to stop such illegal activities and expedite enforcement and prosecution actions as appropriate; and
- (q) the definition of 'existing use' (EU) under the OZP should be reviewed to exclude unauthorised developments, e.g. unauthorised road widening, slope cutting, etc.

Adverse Representations (43)

5. The major grounds/views of the adverse representations are summarised below –

Rural Development and "V" Zone

- (a) the extent of "V" zone was insufficient to meet the SH demand. Area within VE should not be zoned "Agriculture" ("AGR"). The "V" zone should be extended to cover the nearby "GB" zones to meet village development needs in the long term. The forecast for SH demand should be extended beyond the next 10-year timeframe;
- (b) some natural slopes should not be excluded from the "V" zone as there might be scope for SH development in the future;
- (c) natural slopes and woodland zoned "V" were not suitable for development due to the difficulties in site formation, stabilisation and future maintenance. Levelled ground should be reserved for SH development instead;
- (d) SH applications submitted before the gazettal of the draft DPA plan should not be subject to the planning control of the OZP;
- (e) the area to the west of San Tau School and the area around Sha Lo Wan Primary School should not be zoned "V" as they were woodlands with mature trees and were not suitable for SH development;

Representers' Proposals

- (f) to exclude various lots¹ in DD6TC (San Tau) from the "V" zone;
- (g) to rezone various lots in DD6TC (San Tau) and DD305L (Sha Lo Wan) from "AGR" or "GB" zone to "V" zone to facilitate NTEH developments or SH applications;

Planning Control on Private Land

- (h) the Sha Lo Wan villagers objected to the OZP and it should be withdrawn;
- (i) majority of the land in Sha Lo Wan was privately owned and should not be covered by the draft OZP. Private property rights should not be deprived. "GB" should not cover a large amount of private land. There was insufficient public consultation during plan formulation stage which resulted in inappropriate land use proposals which

¹ Details of the lot numbers are in paragraph 68(b)(i) of the minutes of the Board meeting held on 6 June 2022.

could not address the needs of villagers;

- (j) entitlement of house lots should be recognised with a development zone even without on-site structure. Private land intended for SH development or agricultural activities should be appropriately zoned to allow sustainable development of the village;
- (k) subjecting the land owned by indigenous inhabitants to the planning controls of the draft OZP contravened Article 40 of the Basic Law (protection of the lawful traditional rights and interests of the indigenous inhabitants of the New Territories);
- (l) imposition of land use zonings (i.e. "AGR", "GB" and "CPA") on private land contravened Articles 6 and 105 of the Basic Law (protection of private property rights);

Designation of "AGR" and "GB" Zones

- (m) the extent of "GB" zone was excessive. Designating agricultural land, areas near recognised villages and those with outstanding SH applications as "GB" zone would adversely affect the value of the land, and neglect indigenous inhabitants' housing needs and their legitimate expectation on use of land;
- (n) some private agricultural land were zoned "GB" which was unreasonable. "AGR" zone should be enlarged to facilitate agricultural rehabilitation;

Representers' Proposals

- (o) to rezone various lots in DD6TC (San Tau), DD305L (Sha Lo Wan) and DD308L (Sham Wat (outside the draft OZP)) from "GB" to "AGR" to reflect the existing agricultural use;

Provision of Community Facilities and Infrastructures

- (p) Tung O Ancient Trail was merely a hiking trail without historic significance worthy of preservation. It should be re-routed or a new hiking trail away from the villages should be provided to avoid disturbance to local residents;
- (q) infrastructure in Sha Lo Wan should be improved. The ferry service was always so fully loaded that the villagers of Sha Lo Wan could not get on the ferries. The San Tau villagers requested an emergency rescue access to San Tau accessible by motorcycles. A vehicular road connecting to Chek Lap Kok Island or Tung Chung should be constructed to resolve transport issue in the area;

- (r) public sewer, enlarged potable water supply, irrigation facilities for agricultural activities, seawater for flushing, fire-fighting and emergence rescue facilities, community hall, and large-scale refuse collection point should be provided in the area;
- (s) the existing permitted burial ground for indigenous inhabitants at the hillside of Sha Lo Wan was not reflected on the draft OZP; and

Development Proposal

- (t) to rezone two sites in Sha Lo Wan and San Tau from "AGR", "GB" and "V" zones to "Other Specified Uses" annotated "Eco-lodge" for eco-tourism related supporting facilities, at a maximum plot ratio of 0.2 and a maximum building height of not more than 2 storeys.

Comments on Representations (4)

6. The grounds of the comments are similar to those raised in the representations. The main additional grounds/views are set out below –

- (a) unauthorised developments including removal of vegetation and slope cutting works should not be tolerated. Those areas should not be covered by any development-related zonings. No additional vehicular accesses should be provided in the area to prevent any further unauthorised developments;
- (b) SH development should not be included as Column 2 use in any zoning other than "V" zone;
- (c) stringent resale conditions for SHs should be implemented given the environmental sensitive nature of the area;
- (d) further elaboration should be provided in the Notes of the draft OZP to clarify that unauthorised developments could not be regarded as 'EU'; and
- (e) the exemption clause for diversion of stream, filling of land/pond or excavation of land for public works co-ordinated or implemented by Government in "CA", "CPA" and "SSSI" zones should be removed.

The Board's Decision

7. After giving consideration to the representations and comments, the Board noted the supportive views of R1 (part) to R5 (part) and decided not to uphold the remaining views of R1 (part) to R5 (part) and R6 to R52, and considered that the draft OZP should not be amended to meet the representations

for the following reasons –

Conservation of Natural Environment and Habitats

- (a) "CPA", "CA" and "GB" were all conservation-related zonings of different levels of control on land use and development. The designation of the conservation zonings on the draft OZP was considered appropriate from a nature conservation perspective, with "CPA" zone for protecting the natural coastline with high landscape, scenic or ecological value, "CA" zone to preserve the woodlands of high ecological value, and "GB" zone to render protection of the common natural habitats and at the same time to reflect the existing site conditions in the area (R1 to R5 and R7 to R10);
- (b) "CPA" zone was designated along the majority of the coastline. Only coastal areas with existing man-made features were excluded from the "CPA" zone (R1, R3, R4 and R8);
- (c) the "SSSI" zone had taken into account the boundary of the designated San Tau Beach SSSI, while a consistent approach had been adopted to delineate the Planning Scheme Area of the draft OZP with reference to the Planning Scheme Area of the draft DPA Plan, high water mark, boundaries of Country Parks, land status, etc. The distribution of seagrasses at San Tau Beach SSSI would be closely monitored by the Agriculture, Fisheries and Conservation Department (R1 to R8);
- (d) on-site STS systems for village houses were required to comply with relevant standards and regulations to ensure no adverse impact on the environment (R1 to R4 and R7);

Agricultural Land and Designation of "GB" and "AGR" Zones

- (e) majority of the existing and abandoned agricultural land with potential for rehabilitation was zoned "AGR", while some common natural habitats such as woodland and shrubland were zoned "GB". 'Agricultural Use' was always permitted within "AGR" and "GB" zones. Genuine agricultural activities would not be hindered (R9 to R12, R19, R36 to R46 and R48 to R52);
- (f) in general, existing land uses including agricultural land, house lots and permitted burial ground in the area would not be affected by the statutory planning control imposed on the OZP. No action was required to make the existing use of any land or building conform to the OZP (R11, R19 and R46);

Designation of "V" Zone

- (g) the boundaries of the "V" zones were drawn up having regard to the VE, local topography, existing settlement pattern, outstanding SH applications and demand forecast. Areas of difficult terrain, potential natural terrain hazards, dense vegetation, conservation and ecological value were excluded. An incremental approach had been adopted for designating the "V" zone with an aim to consolidating SH development at suitable location in order to avoid undesirable disturbance to the natural environment and overtaxing the limited infrastructure in the area (R1 to R5, R8 to R13, R15, R19 to R25, R27, R28, R30 to R32 and R35);

Planning Control on Private Land

- (h) according to the current SH Policy, the right to apply for or build a SH was a personal right enjoyed by the indigenous inhabitant himself, but not attached to the land that he owned. Planning controls on the use of land would not affect the indigenous inhabitant's right to apply for or build a SH per se. On this basis, the imposition of planning controls of the OZP on one's land would not engage Article 40 of the Basic Law (R13, R18, R23, R33 and R34);
- (i) the draft OZP would not affect any landowner's right to transfer or assign his/her interest in land, nor would it leave the land concerned without any meaningful use or economically viable use as the land could be put to 'always permitted uses' and other uses as long as planning approval was obtained. It did not appear inconsistent with the protection of property rights under Article 6 or Article 105 of the Basic Law (R47 to R52);

Provision of Community Facilities and Infrastructures

- (j) suitable sites were zoned "Government, Institution or Community" for provision of Government, institution and community facilities serving the needs of the local residents in the area. The provision of community facilities and infrastructures, including transport and irrigation facilities, would be subject to review by relevant bureaux/departments as and when necessary (R13 to R30, R33 and R34);

Unauthorised Development

- (k) upon the gazettal of the draft DPA Plan, the Planning Authority was empowered to instigate enforcement action against unauthorised developments in the area. Any suspected unauthorised development including filling of land/pond and excavation of land would be

closely monitored and enforcement action would be taken as appropriate. The current definition of 'EU' was consistent with the rule against retroactivity in criminal law (R1, R3, R5 and R8); and

Development Proposal

- (l) the rezoning proposal to facilitate proposed eco-lodge development by the representer was considered premature to be taken on board at this stage as no concrete proposal nor relevant technical assessments were submitted. The current zonings for the concerned sites had taken into account relevant planning considerations and were considered appropriate (R47).

IMPLICATIONS OF THE PROPOSAL

8. Approval of the draft Sha Lo Wan and San Tau OZP No. S/I-SLW/1A has no economic, civil service and family implications. It also has no financial implication as the draft OZP aims to replace the DPA Plan and reflect the as-built conditions in the area. The environmental, sustainability and gender implications in respect of approval of the draft Sha Lo Wan and San Tau OZP No. S/I-SLW/1A are set out below.

9. Regarding the environmental implications, future developments within the area should be planned, designed, constructed and implemented in accordance with relevant environmental guidelines and criteria laid down in the chapter on "Environment" of the Hong Kong Planning Standards and Guidelines.

10. As far as sustainability implications are concerned, the draft OZP provides a planning framework with detailed land use zonings to guide and control future development in the area. The concerns and views from various stakeholders should be handled with care.

11. The draft OZP intends to make provision for Small House development under the Small House Policy. Whilst the Small House Policy excludes women villagers and has gender implications, the Court of Final Appeal ruled against the judicial review against the Small House Policy on 5 November 2021 and upheld its lawfulness and compatibility with the Basic Law.

PUBLIC CONSULTATION

12. The Board gave preliminary consideration to the draft Sha Lo Wan and San Tau OZP No. S/I-SLW/C on 15 January 2021 and agreed that the draft Sha Lo Wan and San Tau OZP No. S/I-SLW/C was suitable for consultation with the Tai O Rural Committee (TORC) and Islands District Council (IsDC). The TORC and IsDC were consulted at its meeting on 1 April 2021 and by circulation of paper on 30 June 2021 respectively. On 24 February 2021 and 26 February 2021,

meetings were held with the Indigenous Inhabitant Representatives (IIR) of San Tau and Sha Lo Wan respectively. On 17 March 2021 and 12 April 2021, two meetings were held with green/concern groups on the draft Sha Lo Wan and San Tau OZP No. S/I-SLW/C. The draft Sha Lo Wan and San Tau OZP No. S/I-SLW/C was re-numbered as S/I-SLW/E for submission to the Board on 6 August 2021. Views collected during the consultations and the representations received during the exhibition of the DPA Plan for two months from 8 January 2021 under section 5 of the Ordinance were reflected to the Board for consideration of the draft Sha Lo Wan and San Tau OZP No. S/I-SLW/E on 6 August 2021. The draft Sha Lo Wan and San Tau OZP No. S/I-SLW/E was re-numbered as S/I-SLW/1 for gazettal on 27 August 2021.

13. Upon gazettal of the draft OZP, an information paper was circulated to members of IsDC on 23 September 2021. The Chairman of IsDC made a response to the abovementioned IsDC Paper on 29 September 2021 and subsequently submitted a representation (R9).

PUBLICITY

14. The approved Sha Lo Wan and San Tau OZP No. S/I-SLW/2 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 15. The approved Sha Lo Wan and San Tau OZP No. S/I-SLW/2 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 Enclosure I to Annex A. An Explanatory Statement in respect of the approved OZP is at Enclosure II to Annex A.

A-I
A-II

ENQUIRY

16. 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
DECEMBER 2022

APPROVED SHA LO WAN AND SAN TAU
OUTLINE ZONING PLAN
NO. S/I-SLW/2

Annex A Approved Sha Lo Wan and San Tau Outline Zoning Plan No.
S/I-SLW/2

Enclosure I : Notes to the Approved Sha Lo Wan and San Tau
Outline Zoning Plan No. S/I-SLW/2

Enclosure II : Explanatory Statement of the Approved Sha Lo
Wan and San Tau Outline Zoning Plan No.
S/I-SLW/2

圖例
NOTATION

ZONES		地帶
VILLAGE TYPE DEVELOPMENT	V	鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	GIC	政府、機構或社區
OPEN SPACE	O	休憩用地
OTHER SPECIFIED USES	OU	其他指定用途
AGRICULTURE	AGR	農業
GREEN BELT	GB	綠化地帶
CONSERVATION AREA	CA	自然保育區
COASTAL PROTECTION AREA	CPA	海岸保護區
SITE OF SPECIAL SCIENTIFIC INTEREST	SSSI	具特殊科學價值地點

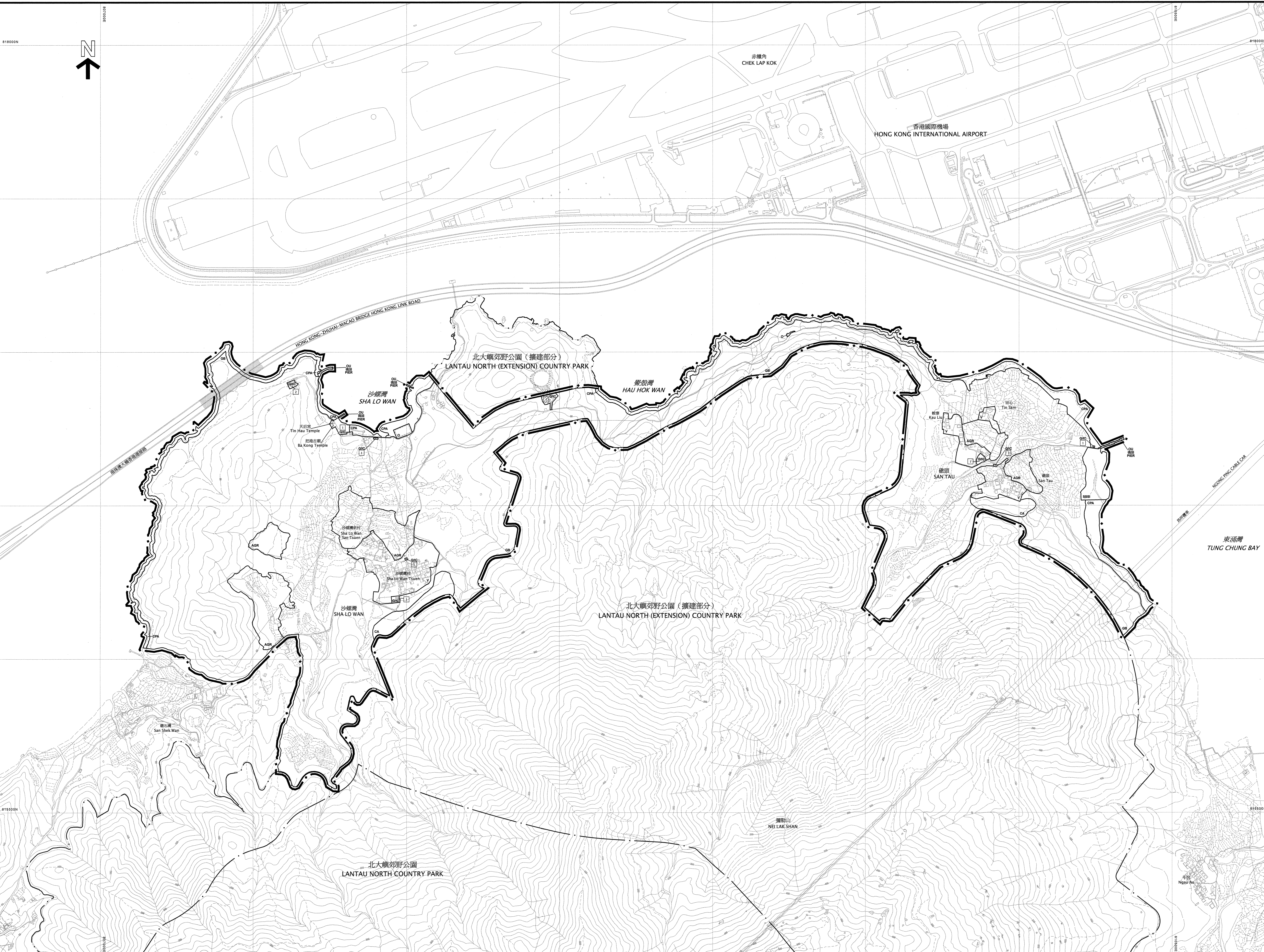
COMMUNICATIONS		交通
ELEVATED ROAD	(Symbol)	高架道路

MISCELLANEOUS		其他
BOUNDARY OF PLANNING SCHEME	(Symbol)	規劃範圍界線
BOUNDARY OF COUNTRY PARK	(Symbol)	郊野公園界線
MAXIMUM BUILDING HEIGHT (IN NUMBER OF STOREYS)	(Symbol)	最高建築物高度 (樓層數目)

土地用途及面積一覽表
SCHEDULE OF USES AND AREAS

USES	大約面積及百分比		用途
	公頃 HECTARES	百分比 %	
VILLAGE TYPE DEVELOPMENT	6.18	3.96	鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	0.55	0.35	政府、機構或社區
OPEN SPACE	0.19	0.12	休憩用地
OTHER SPECIFIED USES	0.05	0.03	其他指定用途
AGRICULTURE	9.20	5.90	農業
GREEN BELT	128.80	82.62	綠化地帶
CONSERVATION AREA	2.31	1.48	自然保育區
COASTAL PROTECTION AREA	7.47	4.79	海岸保護區
SITE OF SPECIAL SCIENTIFIC INTEREST	1.17	0.75	具特殊科學價值地點
TOTAL PLANNING SCHEME AREA	155.92	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2022年12月6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 6 DECEMBER 2022

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沙螺灣及磡頭分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
SHA LO WAN AND SAN TAU - OUTLINE ZONING PLAN

SCALE 1:5000 比例尺
METRES 100 0 200 400 600 800 METRES

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/1-SLW/2

APPROVED SHA LO WAN AND SAN TAU OUTLINE ZONING PLAN NO. S/I-SLW/2

(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 draft development permission area plan conform to this Plan, provided such use has continued since it came into existence. Any material change of such use or any other development (except minor alteration and/or modification to the development of the land or building in respect of such use which is always permitted) must be always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board.
- (4) A use or development of any land or building permitted under an earlier draft or approved plan including development permission area plan for the area and effected or undertaken during the effective period of that plan is always permitted under this Plan. Any material change of such use or any other development (except minor alteration and/or modification to the completed development of the land or building which is always permitted) must be always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board.
- (5) Except to the extent that paragraph (3) or (4) applies, any use or development falling within the boundaries of the Plan and also within the boundaries of the draft development permission area plan, unless always permitted in terms of the Plan, shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without permission from the Town Planning Board.
- (6) Except as otherwise specified by the Town Planning Board, when a use or material change of use is effected or a development or redevelopment is undertaken, as always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board, all permissions granted by the Town Planning Board in respect of the site of the use or material change of use or development or redevelopment shall lapse.
- (7) 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 “Site of Special Scientific Interest”, “Conservation Area” or “Coastal Protection 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, cycle track, public utility pipeline, electricity mast, lamp pole, telephone booth, telecommunications radio base station, automatic teller machine and shrine;
- (c) maintenance or repair of watercourse, nullah, sewer and drain;
- (d) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities and waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government;
- (e) rebuilding of New Territories Exempted House;
- (f) replacement of an existing domestic building, i.e. a domestic building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, by a New Territories Exempted House; and
- (g) provision, maintenance or repair of a grave of an indigenous New Territories villager or a locally based fisherman and his family members for which permission has been obtained from Government.

(9) In areas zoned “Site of Special Scientific Interest”, “Conservation Area” or “Coastal Protection 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, footpath, 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) (a) Except in areas zoned “Site of Special Scientific Interest”, “Conservation Area” or

“Coastal Protection 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 (10)(a), and subject to temporary uses for open storage and port back-up purposes which are prohibited in areas zoned “Site of Special Scientific Interest”, “Conservation Area” or “Coastal Protection 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.
- (11) Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted uses and developments within the same zone are always permitted and no separate permission is required.
- (12) In these Notes, unless the context otherwise requires or unless as expressly provided below, terms used in the Notes shall have the meanings as assigned under section 1A of the Town Planning Ordinance.

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

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

APPROVED SHA LO WAN AND SAN TAU OUTLINE ZONING PLAN NO. S/I-SLW/2

Schedules of Uses

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VILLAGE TYPE DEVELOPMENT

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
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<p>Agricultural Use Government Use (Police Reporting Centre, Post Office only) House (New Territories Exempted House only) On-Farm Domestic Structure Religious Institution (Ancstral Hall only) Rural Committee/Village Office</p>	<p>Eating Place Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified)# Hotel (Holiday House only) House (not elsewhere specified) Institutional Use (not elsewhere specified)# Place of Recreation, Sports or Culture Public Clinic Public Convenience Public Utility Installation # Religious Institution (not elsewhere specified)# Residential Institution # School # Shop and Services Social Welfare Facility # Utility Installation for Private Project</p>
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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 draft development permission area plan, whichever is the greater.
- (b) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (c) Any diversion of streams, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

GOVERNMENT, INSTITUTION OR COMMUNITY

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Broadcasting, Television and/or Film Studio Eating Place (Canteen, Cooked Food Centre only) Educational Institution Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) Institutional Use (not elsewhere specified) Library Market Place of Recreation, Sports or Culture Public Clinic Public Convenience Public Utility Installation Recyclable Collection Centre Religious Institution Rural Committee/Village Office School Service Reservoir Social Welfare Facility Training Centre Wholesale Trade	Animal Boarding Establishment Animal Quarantine Centre Columbarium Correctional Institution Crematorium Eating Place (not elsewhere specified) Funeral Facility Helicopter Landing Pad Holiday Camp House (other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes) Off-course Betting Centre Office Place of Entertainment Private Club Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation Residential Institution Sewage Treatment/Screening Plant Shop and Services (not elsewhere specified) Utility Installation for Private Project

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.

(Please see next page)

GOVERNMENT, INSTITUTION OR COMMUNITY (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 a maximum building height in terms of number of storey(s) as stipulated on the Plan, or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, whichever is the greater.
- (b) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

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

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 Utility Installation
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.

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 "Pier" Only

Pier

Government Use (not elsewhere specified)
Public Utility Installation

Planning Intention

This zone is intended to designate land for pier and jetty to facilitate marine access to Sha Lo Wan and San Tau areas.

AGRICULTURE

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Government Use (Police Reporting Centre only) On-Farm Domestic Structure Public Convenience Religious Institution (Ancestral Hall only) Rural Committee/Village Office	Animal Boarding Establishment Barbecue Spot Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) House (New Territories Exempted House only, other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes) Picnic Area Place of Recreation, Sports or Culture (Horse Riding School, Hobby Farm, Fishing Ground only) Public Utility Installation Religious Institution (not elsewhere specified) School Utility Installation for Private Project

Planning Intention

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

Remarks

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

(Please see next page)

AGRICULTURE (cont'd)

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

GREEN BELT

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

Planning Intention

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

(Please see next page)

GREEN BELT (cont'd)

Remarks

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

CONSERVATION AREA

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use (other than Plant Nursery) Nature Reserve Nature Trail On-Farm Domestic Structure Wild Animals Protection Area	Field Study /Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) House (Redevelopment only) Public Convenience Public Utility Installation Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation

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

COASTAL PROTECTION 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) Nature Reserve Nature Trail On-Farm Domestic Structure Wild Animals Protection Area	Field Study/Education/Visitor Centre Government Use House (Redevelopment only) Pier Public Convenience Public Utility Installation Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation

Planning Intention

This zoning is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion.

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

SITE OF SPECIAL SCIENTIFIC INTEREST

Column 1
Uses always permitted

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

Wild Animals Protection Area

Agricultural Use
Field Study /Education/Visitor Centre
Government Use
Nature Reserve
Nature Trail
On-Farm Domestic Structure
Public Convenience
Public Utility Installation

Planning Intention

The planning intention of this zone is to conserve and protect the features of special scientific interest such as rare or particular species of fauna and flora and their habitats, corals, woodlands, marshes or areas of geological, ecological or botanical/biological interest which are designated as Site of Special Scientific Interest (SSSI). It intends to deter human activities or developments within the SSSI.

There is a general presumption against development in this zone. No developments are permitted unless they are needed to support the conservation of the features of special scientific interest in the SSSI, to maintain and protect the existing character of the SSSI, or for educational and research purposes.

Remarks

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

APPROVED SHA LO WAN AND SAN TAU OUTLINE ZONING PLAN NO. S/I-SLW/2

EXPLANATORY STATEMENT

APPROVED SHA LO WAN AND SAN TAU OUTLINE ZONING PLAN NO. S/I-SLW/2

EXPLANATORY STATEMENT

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APPROVED SHA LO WAN AND SAN TAU OUTLINE ZONING PLAN NO. S/I-SLW/2

(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 Sha Lo Wan and San Tau Outline Zoning Plan (OZP) Plan No. S/I-SLW/2. It reflects the planning intentions and objectives of the Town Planning Board (the Board) for various land-use zonings for the Plan.

2. AUTHORITY FOR THE PLAN AND PROCEDURE

- 2.1 On 9 November 2020, under the power delegated by the Chief Executive (CE), the Secretary for Development (SDEV) directed the Board, under section 3(1)(b) of the Town Planning Ordinance (the Ordinance), to prepare a draft plan designating the Sha Lo Wan and San Tau area as a Development Permission Area (DPA).
- 2.2 On 5 January 2021, under the power delegated by the CE, SDEV directed the Board, under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the Sha Lo Wan and San Tau area.
- 2.3 On 8 January 2021, the draft Sha Lo Wan and San Tau DPA Plan No. DPA/I-SLW/1 was exhibited for public inspection under section 5 of the Ordinance. During the exhibition periods, a total of 208 representations were received.
- 2.4 On 27 August 2021, the draft Sha Lo Wan and San Tau OZP No. S/I-SLW/1 was exhibited for public inspection under section 5 of the Ordinance.
- 2.5 Pursuant to section 20(6) of the Ordinance, the draft Sha Lo Wan and San Tau DPA Plan No. DPA/I-SLW/1 ceased to be effective on 27 August 2021 (except for the provisions related to the existing use and unauthorized development), as the land in respect of the DPA Plan was included in the draft Sha Lo Wan and San Tau OZP No. S/I-SLW/1 on the date. The plan-making process for the draft Sha Lo Wan and San Tau DPA Plan No. DPA/I-SLW/1 did not proceed further.
- 2.6 During the two-month exhibition period of the draft Sha Lo Wan and San Tau OZP No. S/I-SLW/1, a total of 52 representations were received. On 3 December 2021, the representations were published for three weeks for public comments. Upon expiry of the publication period on 24 December 2021, a total of four comments were received. After giving consideration to the representations and comments on 6 June 2022 and 22 July 2022, the Board decided not to propose any amendments to the draft OZP to meet the representations under section 6B(8) of the Ordinance.
- 2.7 On 6 December 2022, the CE in C, under section 9(1)(a) of the Ordinance, approved

the draft Sha Lo Wan and San Tau OZP, which was subsequently renumbered as S/I-SLW/2. On 16 December 2022, the approved Sha Lo Wan and San Tau OZP No. S/I-SLW/2 (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 the broad land use zonings for the area of Sha Lo Wan and San Tau so that development and redevelopment within the Planning Scheme Area (the Area) can be put under statutory planning control. It also provides the planning framework for preparing more detailed non-statutory plans which form the basis for public works planning and site reservation for various uses.
- 3.2 The Plan is to illustrate the broad principles of development and planning control only. It is a small-scale plan and the boundaries between land use zones may be subject to minor adjustments as detailed planning and development proceed.

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

5. THE PLANNING SCHEME AREA

- 5.1 The Area, covering a total area of about 155.92 ha, is located to the west of Tung Chung on the northwestern part of Lantau Island, fronting the Hong Kong-Zhuhai-Macao Bridge (HZMB) Hong Kong Link Road and Hong Kong International Airport (HKIA). The Area consists of hilly terrains along foothills of Nei Lak Shan to the south. It is embraced by Lantau North (Extension) Country Park to the south and north and the sea channel to the north. The Area has no vehicular access and most parts of the Area are accessible only by footpaths.
- 5.2 The natural landscape of the Area consists of woodlands, shrublands, grasslands, vegetated slopes and knolls, streams, wetlands including marshes and mangroves and coastal features including shorelines and seagrass bed. Woodlands cover mainly to the northwest and southwest of Sha Lo Wan and to the south and southwest of San Tau. San Tau Beach, located to the east of San Tau at the eastern part of the Area, is designated as a Site of Special Scientific Interest (SSSI) for harbouring the largest seagrass bed of *Zostera japonica* (矮大葉藻) and *Halophila ovalis* (喜鹽草) on Lantau

Island and the locally uncommon mangrove *Bruguiera gymnorhiza* (木欖). There are also butterfly key areas in Sha Lo Wan and San Tau, where a number of butterfly species of conservation interest such as Grey Scrub Hopper (*Aeromachus jhora* 寬鏢弄蝶), White Dragontail (*Lamproptera curius* 燕鳳蝶) and Golden Birdwing (*Troides aeacus* 金裳鳳蝶) were recorded.

- 5.3 There are several natural streams in the Area running from the uphill area within the country parks and Ngong Ping to Sha Lo Wan, Hau Hok Wan and Tung Chung Bay. The streams have records of species of conservation importance such as *Acrossocheilus beijiangensis* (北江光唇魚), Rice Fish (*Oryzias curvinotus* 弓背青鱗) and *Stiphodon multisquamus* (多鱗枝牙鰕虎魚). The coastal area contains mangroves, mudflats, seagrass bed and various types of coastal plants. The myriad of terrestrial natural habitats, coupled with streams and natural coastal environment, offer desirable homes for a diverse community of animals of different kinds, including species of conservation importance such as Romer's Tree Frog (*Liuixalus romeri* 盧氏小樹蛙), Tokay Gecko (*Gekko gekko* 大壁虎) and Brown Fish Owl (*Ketupa zeylonensis* 褐漁鴉). Horseshoe Crabs could also be found along the western coast of Sha Lo Wan and northern coast of San Tau.
- 5.4 This Area is characterized by a rural countryside ambience with two recognized villages, namely Sha Lo Wan (including Sha Lo Wan Tsuen and Sha Lo Wan San Tsuen) and San Tau (including San Tau, Kau Liu and Tin Sam) in the western and eastern parts of the Area respectively. Village houses are mainly one to three-storey in height. Active and abandoned farmland and some vacant farmhouses are found in the villages and their vicinities. There is no vehicular access to the Area. There is no significant economic activity in the Area. Major commercial activities include some local provision stores in Sha Lo Wan and San Tau that operate mainly during weekends.
- 5.5 There are three Sites of Archaeological Interest (SAIs), i.e. Sha Lo Wan SAI, Sha Lo Wan (West) SAI and San Tau SAI and a Grade 3 historic building namely Entrance Gate, Sha Lo Wan Tsuen in the Area. All the SAIs and the historic building are worth preserving. Besides, two temples, namely Ba Kong Temple (把港古廟) and Tin Hau Temple (天后宮), are located on the western coast of Sha Lo Wan.
- 5.6 The Area is a popular hiking area with scenic views, accessible either by an existing trail (commonly known as Tung O Ancient Trail) which connects Tung Chung and Tai O, by ferry via Sha Lo Wan Pier or by boat via local piers and jetties in the Area.

6. POPULATION

Based on 2016 Population By-census, the population of the Area as estimated by PlanD was about 300 persons. It is estimated that the planned population in the Area would be about 470 persons.

7. OPPORTUNITIES AND CONSTRAINTS

7.1 *Opportunities*

7.1.1 Nature Conservation

- (a) The Area is largely embraced by Lantau North (Extension) Country Park and rich in natural habitats including woodlands, shrublands grasslands, vegetated slopes and knolls, streams, wetlands including marshes and mangroves and coastal features including shorelines, mudflats and seagrass bed.
- (b) San Tau Beach, which was designated as a SSSI in 1994, harbours the largest seagrass bed of *Zostera japonica* (矮大葉藻) and *Halophila ovalis* (喜鹽草) on Lantau Island and the locally uncommon mangrove *Bruguiera gymnorhiza* (木欖).
- (c) The myriad of terrestrial natural habitats, coupled with streams and natural coastal environment, offer desirable homes for a diverse community of animals of different kinds. The high diversity of wild fauna and flora are worth conserving. Any haphazard and uncontrolled development that may adversely affect the rural and natural character with scientific importance and conservation value of the Area should be avoided.

7.1.2 Sustainable Lantau Blueprint (the Blueprint)

- (a) An overarching principle of “Development in the North; Conservation for the South” embraced by the Blueprint was promulgated in June 2017. The predominant part of Lantau would be conserved for its natural and cultural resources. Unique rural settlements would also be preserved and enhanced. Where appropriate, low-impact leisure and recreational uses would be developed for public enjoyment.
- (b) The Area is a popular hiking area with scenic views, accessible either by an existing trail which connects Tung Chung and Tai O, by ferry via Sha Lo Wan Pier or by boat via local piers and jetties in the Area. According to the Blueprint, the predominant part of Lantau, including the Area, would be for conservation. Where appropriate, low-impact leisure and recreational uses which are compatible with the natural setting and rural character would be developed for public enjoyment. The Sustainable Lantau Office (SLO), Civil Engineering and Development Department (CEDD) has promulgated the Lantau Conservation and Recreation Masterplan (with Lantau Trails and Recreation Plan) in December 2020 to provide a framework guiding the conservation and recreation initiatives, and orchestrate public and private projects better for

achieving synergy in conservation of Lantau. Some existing hiking trails and a proposed Round-the-Lantau Route are located in the Area. Several preliminary proposals to promoting revitalization of the villages along Tung O Ancient Trail have been received from SLO, CEDD. Subject to further information and detailed impact assessments, planning application for such proposals may be submitted for the Board's consideration.

7.1.3 Agricultural Development

While there are active farming activities observed in the Area, the abandoned agricultural lands in the Area may also exhibit potential for rehabilitation for agricultural use.

7.1.4 Culture and Arts

- (a) Sha Lo Wan has a long history of human settlement and rich cultural heritage resources such as Entrance Gate, Sha Lo Wan Tsuen, which is a Grade 3 historic building confirmed by the Antiquities Advisory Board (AAB), Tin Hau Temple and Ba Kong Temple located on the western side of Sha Lo Wan coast. The ground in front of the temples are used for worship and celebration activities at Hung Shing Festival.
- (b) Some non-governmental organizations, local communities and villagers have collaborated to organize a series of culture and arts events in Sha Lo Wan, including creation of a sculpture of about 6m high namely Thousand Mile Eye (now demolished) on the abandoned farmland to the north of Sha Lo Wan Tsuen. Created from locally found materials such as rattan and bamboo, the sculpture was once a landmark tourist attraction of the Area. Opportunities are revealed to revitalise the Area, in particular Sha Lo Wan, for culture and arts related uses.

7.1.5 Cavern Development

- (a) The "Long-term Strategy for Cavern Development – Feasibility Study" completed by the CEDD in conjunction with PlanD has recommended, among others, the formulation of a strategic territory-wide Cavern Master Plan (CMP), as a holistic approach in planning and implementing cavern development and taking forward this innovative means of enhancing land supply.
- (b) According to CMP, part of the Strategic Cavern Area No. 48 – Kau Liu (SCVA) falls within the Area near San Tau. Subject to further study and investigation, there is potential to accommodate

appropriate uses in the SCVA.

7.2 *Constraints*

7.2.1 Accessibility

- (a) At present, the Area is not served by any road and most parts of the Area are only accessible by hiking trails/footpaths linking Tai O and Tung Chung. Some parts of the Area are inaccessible.
- (b) With the provision of local piers and jetties, the Area is also accessible by boat. There is a public ferry route running between Tuen Mun, Tai O, Sha Lo Wan and Tung Chung.

7.2.2 Heritage Preservation/Archaeological Consideration

- (a) There are three SAIs, i.e. Sha Lo Wan SAI, Sha Lo Wan (West) SAI and San Tau SAI and a Grade 3 historic building namely Entrance Gate, Sha Lo Wan Tsuen in the Area. All the SAIs and the historic building are worth preserving.
- (b) Prior consultation with the Antiquities and Monuments Office (AMO) of Development Bureau (DEVB) should be made if any works, developments, redevelopments or rezoning proposals may affect the above SAIs, graded historic buildings/structures, new items pending grading assessment, any other historic structures identified and their immediate environs. Besides, if there are any buildings/structures both at grade level and underground which were built on or before 1969, AMO should be alerted.

7.2.3 Airport Height Restriction

The building height of the developments within the Area is subject to the gazetted Airport Height Restriction Plan (AHRP) and any potential amendments to the gazetted AHRP related the Expansion of the HKIA into a Three Runway System Project (3RS). No part of building or buildings or other structure or equipment erected or to be erected within the Area (or any addition or fitting to such building or buildings or structure or equipment) shall exceed the prevailing “restricted height” (more commonly known as Airport Height Restriction (AHR)) prescribed under the Hong Kong Airport (Control of Obstructions) Ordinance (Cap. 301) or its amendment associated with 3RS.

7.2.4 Helicopter Operation

Whilst more than 20 helicopters takeoff/landings operate at the Hong Kong

Government Flying Service (GFS) daily, any development within the Area, located only about 500m south of the GFS Headquarters on the Airport Island, may affect helicopter operations, in particular takeoff and landing path to/from the GFS Headquarters, the routing for entering/exiting the airport and the holding procedure for runway crossing/awaiting clearance at Sha Lo Wan and/or the Freight Centre for landing to the GFS.

7.2.5 Aircraft Noise

- (a) Aircraft approaching and departing from the HKIA is identified as one of the key existing noise sources which affects the Area. The Area mostly falls inside the Noise Exposure Forecast (NEF) 25 contours, with some portions which may fall inside / outside the NEF 30 contours, of the HKIA under the 3RS operations. The Area is in close proximity to the HKIA which is a very busy airport operating 24 hours. Aircraft noise due to the overflights of approaching and departing aircraft is anticipated.
- (b) Any project proponent(s)/developer(s) for development within the Area should review the building design features and consider the use of acoustic insulation to enhance the indoor noise environment. In addition, the Area is in proximity to the helicopter holding areas and helicopter flight paths, which might also contribute to the noise environment.

7.2.6 Limited Infrastructure

- (a) At present, the Area has no public drainage system. Any development planned in the Area shall reserve sufficient land for the necessary drainage improvement in future. In particular, a buffer area of sufficient width from both edges of existing watercourses/streams should be reserved to allow the development of future drainage systems with more ecological features, installation of green channels/drainage improvements and implementation of associated drainage maintenance and river training works in future. If any development or re-development within the Area which may affect the drainage system or change the drainage characteristic, drainage studies including the details of the affected drainage system and any mitigation measures should be submitted to the Drainage Services Department (DSD) for checking in accordance with the principle laid down in the Environment, Transport and Works Bureau Technical Circulars (Works) No. 14/2004, 5/2005, 2/2006, DEVB Technical Circular (Works) No. 9/2020 and DSD Advice Note No. 1.

- (b) There is no existing or planned public sewer for the Area and at present, each house is served by its own on-site septic tank and soakaway (STS) system. Any increase in population, number of visitors to the Area or further residential/recreational developments would require additional facilities. The design and construction of the STS system need to comply with relevant standards and regulations, such as the Professional Persons Environmental Consultative Committee Practice Notes (ProPECC PN) 5/93 issued by the Environmental Protection Department (EPD) for the protection of the water quality and the streams flowing through the Area.
- (c) Fresh water supply is available to the existing clusters of village houses at Sha Lo Wan and San Tau but the supply is of limited capacity. There is no salt water supply system for flushing in the Area.

7.2.7 Geotechnical Constraints

The Area and its vicinity comprise hilly natural terrain with past natural terrain landslide records. There are about 10 registered man-made slopes and retaining walls within the Area and the stability of these slope features is mostly unknown. If these slope features would affect or be affected by any development and redevelopment, geotechnical investigations and studies including the details of any permanent geotechnical works should be submitted to the Geotechnical Engineering Office of CEDD for checking in accordance with the principle laid down in the Environment, Transport and Works Bureau Technical Circular (Works) No. 29/2002 or to the Buildings Department in accordance with the Buildings Ordinance (Cap. 123) as appropriate. For any future development or redevelopment in the Area, a natural terrain hazard study would be required to assess the potential hazards and constraints arising from natural terrain, and to provide suitable hazard mitigation measures, if found necessary, as part of the development or redevelopment.

7.2.8 Urban Design

The Area is characterized by a rural countryside ambience. Any proposed developments should be of a scale compatible with the natural and rural character of the Area.

7.2.9 Burial Ground

There is a permitted burial ground in the Area for indigenous villagers and

it is not suitable for any development. It is located to the southeast of San Tau.

8. GENERAL PLANNING INTENTION

- 8.1 The general planning intention for the Area is to conserve its landscape and ecological values in safeguarding the natural habitat and rural character of the Area, to preserve historical artifacts, local culture and traditions of the villages and to make provision for future Small House development for the indigenous villagers of Sha Lo Wan and San Tau.
- 8.2 Due consideration should be given to the conservation of ecologically and environmentally sensitive areas when development in or near the Area is proposed. Small House development in recognized villages will be consolidated at suitable locations to avoid sprawling and to preserve the rural character of the Area. In designation of various zones in the Area, consideration has been given to protect the natural habitats in the Area such as the woodland areas which form a continuous stretch of well-established vegetation with those located in the adjoining Lantau North and Lantau North (Extension) Country Parks and natural streams.

9. LAND USE ZONINGS

- 9.1 “Village Type Development” (“V”): Total Area 6.18 ha
- 9.1.1 The planning intention of this zone is to designate both existing recognized villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Board.
- 9.1.2 The “V” zones cover the two recognized villages, namely Sha Lo Wan and San Tau. The “V” zones are designated having regard to the village ‘environs’, the local topography, the existing settlement pattern, the outstanding Small House applications and demand forecast. Areas of difficult terrain, potential natural terrain hazards, dense vegetation, conservation and ecological value are excluded. The existing village clusters and adjacent land suitable for village expansion are zoned “V”.
- 9.1.3 No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development

and/or redevelopment in excess of a maximum building height of 3 storeys (8.23m) or the height of the building which was in existence on the date of first publication in the Gazette of the notice of the draft DPA plan, whichever is the greater.

9.1.4 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height restriction may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

9.1.5 As diversion of streams may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such works and related activities except public works co-ordinated or implemented by the Government, and maintenance, repair or rebuilding works.

9.2 “Government, Institution or Community” (“G/IC”): Total Area 0.55 ha

9.2.1 The planning intention of this zone is 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, organisations providing social services to meet community needs, and other institutional establishments.

9.2.2 The zone covers existing GIC uses, including the Tin Hau Temple, Ba Kong Temple, Sha Lo Wan Village Office together with the paved ground in front of the temples located on the western side of Sha Lo Wan coast, two vacant school premises (Sha Lo Wan School and San Tau School), a refuse collection point in San Tau and three public toilets. Hong Kong Observatory’s Sha Lo Wan Wind Profiler Station and Sha Lo Wan Automatic Weather Station are also included in this zone.

9.2.3 To preserve the rural and low-rise character of the Area, development/redevelopment within this zone should be restricted to the maximum building height as stipulated on the Plan or the height of building which was in existence on the date of first publication in the Gazette of the notice of the draft DPA Plan, whichever is the greater.

9.2.4 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height restriction may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

9.3 “Open Space” (“O”): Total Area 0.19 ha

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

9.3.2 The zone covers a football field, managed by the Leisure and Cultural Services Department, situated at the coast of Sha Lo Wan. A viewing pavilion which is provided to the east of Hau Hok Wan along the existing trail near San Tau is also included in this zone.

9.4 “Other Specified Uses” (“OU”): Total Area 0.05 ha

9.4.1 The planning intention of this zone is to designate land for pier and jetty to facilitate marine access to the Area. The zone mainly covers three jetties in Sha Lo Wan and a pier in San Tau.

9.5 “Agriculture” (“AGR”): Total Area 9.20 ha

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

9.5.2 This zone mainly covers the pieces of active farmlands at the downhill area to the west of the Area, patches of active and abandoned farmlands to the north of Sha Lo Wan Tsuen and those embracing the village clusters of San Tau.

9.5.3 As diversion of streams or filling of land/pond may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such works and related activities except public works co-ordinated or implemented by the Government, and maintenance, repair or rebuilding works. However, filling of land specifically required under prior written instructions of Government department(s), or for the purposes of genuine agricultural practice including laying of soil not exceeding 1.2m in thickness for cultivation, and construction of agricultural structure with prior written approval from the Lands Department (LandsD) is exempted from the control.

9.6 “Green Belt” (“GB”): Total Area 128.80 ha

9.6.1 The planning intention of this zone is primarily for defining the limits of development areas by natural features and to preserve the existing natural landscape as well as to provide passive recreational outlets. There is a

general presumption against development within this zone.

- 9.6.2 The “GB” zone mainly covers the woodlands, shrublands, grasslands, vegetated slopes and knolls, streams, wetlands, abandoned farmland and some temporary structures in the Area.
- 9.6.3 The zone also covers a permitted burial ground located to the southeast of San Tau, which is intended for burial places of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities in the permitted burial grounds within this zone are generally tolerated. The District Office is delegated with authority under the Public Health and Municipal Services Ordinance (Cap. 132) to issue the burial certificates within the boundaries of permitted burial grounds. Burial activities within permitted burial grounds are also governed by separate conditions stipulated by LandsD, the Food and Environmental Hygiene Department, the Agriculture, Fisheries and Conservation Department and the Water Supplies Department. Any burial activities should be confined within the designated grounds as far as practicable.
- 9.6.4 There is a general presumption against development within this zone. Development in this zone will be strictly controlled. Development proposals will be considered by the Board on individual merits taking into account the relevant Town Planning Board Guidelines. As diversion of streams, filling of land/pond or excavation of land may cause adverse drainage and environmental impacts on the adjacent areas and the natural environment, permission from the Board is required for such works and related activities except public works co-ordinated or implemented by the Government, and maintenance, repair or rebuilding works.

9.7 “Conservation Area” (“CA”): Total Area 2.31 ha

- 9.7.1 This zone 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 SSSI or 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.
- 9.7.2 The zone mainly covers two tracts of mature woodlands of high ecological value to the south of Sha Lo Wan and San Tau.

- 9.7.3 New residential development is not permitted within this zone. Redevelopment of existing house may be permitted on application to the Board. The redevelopment of existing house shall not result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication of the draft DPA Plan.
- 9.7.4 As diversion of streams, filling of land/pond or excavation of land may cause adverse drainage and environmental impacts on the adjacent areas and the natural environment, permission from the Board is required for such works and related activities except public works co-ordinated or implemented by the Government, and maintenance or repair works.
- 9.8 “Coastal Protection Area” (“CPA”): Total Area 7.47 ha
- 9.8.1 The planning intention of this zone is to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion. 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.
- 9.8.2 The zone mainly covers the natural coastlines along the northern, eastern, and western peripheries of the Area, which comprise coastal features including shorelines, flat rock, cliff, mangroves, mudflats and seagrass bed.
- 9.8.3 New residential development is not permitted under this zone. Redevelopment of existing house may be permitted on application to the Board. The redevelopment of an existing house shall not result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication of the draft DPA Plan.
- 9.8.4 As diversion of streams, filling of land/pond or excavation of land may cause adverse drainage and environmental impacts on the adjacent areas and the natural environment, permission from the Board is required for such works and related activities except public works co-ordinated or implemented by the Government, and maintenance or repair works.

9.9 “Site of Special Scientific Interest” (“SSSI”): Total Area 1.17 ha

- 9.9.1 The planning intention of this zone is to conserve and protect the features of special scientific interest such as rare or particular species of fauna and flora and their habitats, corals, woodlands, marshes or areas of geological, ecological or botanical/biological interest which are designated as SSSI. It intends to deter human activities or developments within the SSSI. There is a general presumption against development in this zone. No developments are permitted unless they are needed to support the conservation of the features of special scientific interest in the SSSI, to maintain and protect the existing character of the SSSI, or for educational and research purposes.
- 9.9.2 The zone covers part (about 1.17 ha) of the designated San Tau Beach SSSI (total area about 2.7 ha) for harbouring the largest seagrass bed of *Zostera japonica* (矮大葉藻) and *Halophila ovalis* (喜鹽草) on Lantau Island and the locally uncommon mangrove *Bruguiera gymnorhiza* (木欖).
- 9.9.3 Diversion of streams, filling of land/pond or excavation of land may cause adverse drainage and environmental impacts on the adjacent areas, the natural environment and the ecology. In view of the scientific value of the area within this zone, permission from the Board is required for such works and related activities except public works co-ordinated or implemented by the Government, and maintenance or repair works.

10. COMMUNICATIONS

- 10.1 At present, the Area is not served by any road and most parts of the Area are only accessible by footpaths. The viaduct of HZMB spans over the headland at the northwestern tip of the Area near Sha Lo Wan but there is no direct access from HZMB to the Area.
- 10.2 There are some famous walking trails such as the existing trail between Tung Chung and Tai O (commonly known as Tung O Ancient Trail) connecting to other areas on Lantau including San Shek Wan, Sham Wat, Tai O, Tung Chung and Ngong Ping.
- 10.3 With the provision of local piers and jetties, the Area is also accessible by boat. There is a public ferry route running between Tuen Mun, Tai O, Sha Lo Wan and Tung Chung.

11. UTILITY SERVICES

- 11.1 At present, the Area has no public drainage system. Any development planned in this Area shall reserve sufficient land for the necessary drainage improvement in future. In particular, a buffer area of sufficient width from both edges of existing

watercourses/streams should be reserved to allow the development of future drainage systems with more ecological features, installation of green channels/drainage improvements and implementation of associated drainage maintenance and river training works in future. If any development or redevelopment within the Area would affect the drainage system or change the drainage characteristic, detailed drainage study would be required and suitable mitigation measures should be provided, if necessary, as part of the development or redevelopment.

- 11.2 There is no existing or planned public sewer for the Area and at present, the Area is mainly served by the STS system. Any increase in population, number of visitors to the Area or further residential/recreational developments would require additional facilities. The design and construction of the STS system need to comply with relevant standards and regulations, such as ProPECC PN 5/93 issued by EPD for the protection of the water quality and the streams flowing through the Area.
- 11.3 Fresh water supply is available to the existing clusters of village houses at Sha Lo Wan and San Tau but the supply is of limited capacity. There is currently no salt water supply for flushing in the Area.
- 11.4 Telephone network and electricity supply are available in the Area. Prior consultation with the electricity supplier for the locations of overhead lines and/or underground cables running across the Area is required for any proposed development within the Area. There is no gas supply to the Area.

12. CULTURAL HERITAGE

- 12.1 There are three SAIs, i.e. Sha Lo Wan SAI, Sha Lo Wan (West) SAI and San Tau SAI and a Grade 3 historic building namely Entrance Gate, Sha Lo Wan Tsuen in the Area. All the SAIs and the historic building are worth preserving.
- 12.2 The AAB also released a list of new items in addition to the list of 1,444 historic buildings. These items are subject to grading assessment by the AAB. Details of the list of 1,444 historic buildings and the new items have been uploaded onto the website of AAB at <http://www.aab.gov.hk>.
- 12.3 Prior consultation with AMO of DEVB should be made if any works, developments, redevelopments or rezoning proposals may affect the above SAIs, graded historic buildings/structures, new items pending grading assessment, any other historic structures identified and their immediate environs. If disturbance to the SAIs is unavoidable, prior agreement with AMO should be made on any measures for the protection of the SAIs, e.g. whether detailed Archaeological Impact Assessment (AIA) is required. The AIA shall evaluate the archaeological impact imposed by the proposed works. If necessary, a qualified archaeologist shall apply for a licence under the Antiquities and Monuments Ordinance (Cap. 53) for an archaeological investigation. A proposal of the AIA shall be submitted to AMO for agreement prior to applying for the licence. Subject to the findings of AIA, appropriate mitigation measures shall be fully implemented by the project proponent in consultation with AMO. Besides, if there are any buildings/structures both at grade level and underground which were built on or before 1969, AMO should be alerted.

13. IMPLEMENTATION

- 13.1 The Plan provides a broad land use framework for development control and implementation of planning proposals for the Area. More detailed plans will be prepared as a basis for public works 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 of time depending on the availability of resources. It will be undertaken through the participation of both public and private sectors.
- 13.3 Notwithstanding the above, minor improvement works, e.g. access improvements, utility services installation and public works projects will be implemented through the Public Works Programme and the Rural Public Works Programme subject to priority and resource availability. Private developments will be effected principally through private sector initiatives in accordance with the zoned uses indicated on the Plan, provided that their proposals meet Government requirements.

14. PLANNING CONTROL

- 14.1 The types of permitted developments and uses on land within the Area are listed in the Notes to the Plan. Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted developments and uses within the same zone are always permitted and no separate permission is required.
- 14.2 Uses of land or building which were in existence immediately before the first publication in the Gazette of the notice of the draft DPA Plan and which are not in compliance with the terms of the Plan may have adverse impact on the environment, drainage and traffic of the Area. Although no action is required to make such use conform to this Plan, any material change of such use or any other development (except minor alteration and/or modification to the development of the land or building in respect of such use which is always permitted) must be always permitted in terms of the Plan or, if permission is required, in accordance with a permission granted by the Board. The Board will consider these applications on their individual merits. Those alteration and/or modification works which may lead to an environmental improvement or upgrading to the Area may be considered favourably by the Board.
- 14.3 Planning applications to the Board will be assessed on individual merits. In general, the Board, in considering the planning applications, will take into account all relevant planning considerations which may include the departmental layout plan, and the guidelines published by the Board. The layout plan is available for public inspection at PlanD. Guidelines published by the Board, 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 Office of PlanD. 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 8 January 2021 on land included in a plan of the Sha Lo Wan and San Tau DPA may be subject to enforcement proceedings under the Ordinance. Any diversion of streams, filling of land/pond or excavation of land in relevant zones on or after the exhibition of the specific plan referred to in the Notes of the relevant zones without permission from the Board may also be subject to enforcement proceedings.

**TOWN PLANNING BOARD
DECEMBER 2022**