

LEGISLATIVE COUNCIL BRIEF

Town Planning Ordinance
(Chapter 131)

APPROVED TSUEN WAN WEST OUTLINE ZONING PLAN NO. S/TWW/21

INTRODUCTION

At the meeting of the Executive Council on 14 November 2023, the Council **ADVISED** and the Chief Executive **ORDERED** that the draft Tsuen Wan West Outline Zoning Plan (OZP) No. S/TWW/20A, should be approved under section 9(1)(a) of the Town Planning Ordinance (the Ordinance). The plan is now A renumbered as S/TWW/21 at **Annex A**.

AMENDMENTS TO THE APPROVED TSEUN WAN WEST OZP NO. S/TWW/19 SINCE ITS REFERENCE BACK

2. Since the reference back of the approved Tsuen Wan West OZP No. S/TWW/19 on 18 October 2022, the draft Tsuen Wan West OZP No. S/TWW/20 (the draft OZP) incorporating the amendments was exhibited on 16 December 2022 for public inspection under section 5 of the pre-amended Ordinance¹. The amendments to the matters shown on the draft OZP include the rezoning of:

Private Residential Developments cum Social Welfare Facilities (SWFs)

- (a) a site to the west of Rhine Garden in Sham Tseng from “Government, Institution or Community” (“G/IC”) to “Residential (Group A) 5” (“R(A)5”) with stipulation of building height restriction (BHR) of 80 metres above Principal Datum (mPD) to take forward the decision of the Metro Planning Committee (MPC) of the Board on a rezoning application submitted under section 12A of the pre-amended Ordinance (section 12A application) (**Amendment Item A1**);
- (b) a site abutting the roundabout of Castle Peak Road – New Ting Kau from “Comprehensive Development Area (1)” (“CDA(1)”), “Green Belt” (“GB”) and an area shown as ‘Road’ to “Residential (Group B) 2” (“R(B)2”) with stipulation of BHR of 77mPD to take forward the decision of the MPC of the Board on a section 12A application (**Amendment Item B1**);

¹ The “pre-amended Ordinance” refers to the Town Planning Ordinance as in force immediately before 1 September 2023.

Other Amendments

- (c) a strip of land abutting Castle Peak Road – Sham Tseng from “G/IC” to an area shown as ‘Road’ (**Amendment Item A2**); and
- (d) an area abutting the roundabout of Castle Peak Road – New Ting Kau from “CDA(1)” to “GB” (**Amendment Item B2**).

3. Corresponding amendments in relation to the rezonings above (including incorporating development restrictions for the new “R(A)5” and “R(B)2” sub-zones and the requirement concerning provision of Government, institution or community facilities in the said sub-zones) and technical amendments in accordance with the latest version of the Master Schedule of Notes to Statutory Plans were also made to the Notes and Explanatory Statement (ES) of the draft OZP.

REPRESENTATIONS AND COMMENTS ON REPRESENTATIONS

4. During the exhibition of the draft OZP, **two** valid representations were received. The representations were published for comment on 3 March 2023 and **three** valid comments on the representations (comments) were received. The representations and comments were considered by the Board at its meeting held on 21 July 2023.

Supportive Representation (1)

5. There was one supportive representation in respect of Amendment Item B1 submitted by Levenson Limited (**R2**), with the major grounds/views that the “R(B)2” zone and its development restrictions were in line with the concerned agreed section 12A application, and the residential zoning of the site would expedite housing supply and meet the acute demand for private housing.

Adverse Representation (1)

6. There was one adverse representation in respect of all amendment items submitted by an individual (**R1**). The major grounds/views of the representation are summarised below –

Amendment Items A1 and A2

- (a) Sham Tseng was situated in a relatively isolated location with no MTR services. There was urgent need for the provision of easily accessible Government, institution and community (GIC) facilities, in particular residential care home for the elderly, instead of private housing units;
- (b) there was no hospital in the Sham Tseng area and the proposed

development should provide medical facilities to serve the community, e.g. district health centre;

- (c) it was considered that the site might be suitable for standalone GIC facilities. There was also a concern on whether the provision of GIC facilities could be guaranteed;

Amendment Items B1 and B2

- (d) the rezoning and proposed wholesale conversion of the existing hotel building would affect hotel room supply. The provision of hotel rooms in various districts of Hong Kong was essential to cater for the needs of a diverse community and visitors; and
- (e) the Government should not have a single focus on housing issue only. An article published by the Government indicated that there might also be insufficient space to meet the needs of new facilities and services arising from the demands of the ageing population.

Comments (3)

7. There were three comments submitted by Toco Planning Consultants Limited (**C1**) and Sham Tseng Chan Kee Roasted Goose Company Limited (**C2**, i.e. the owner of the private lot under Amendment Item A1), both of which objected to **R1** in relation to Amendment Items A1 and A2 and an individual (**C3**, also **R1**) which reiterated her views as stated in the representation (**R1**). The views of **C1** and **C2** are summarised below –

- (a) the proposed residential development was in line with the Government's policy for enhancing housing land supply and the site had not been reserved for any GIC uses since 1997; and
- (b) the site was a private lot with a relatively small site area. Developing the site for stand-alone GIC facilities was not preferred. Rezoning of the site to facilitate a residential development cum GIC facilities could achieve better site utilisation with gainful use.

The Board's Decision

8. After giving consideration to the representations and comments, the Board noted the supportive views of **R2** and decided not to uphold **R1**, and considered that the draft OZP should not be amended to meet the representation for the following reasons –

Amendment Items A1 and A2

- (a) the provision of major GIC facilities was generally sufficient to meet the demand of the population in the Tsuen Wan West Planning Area

except some SWFs. The requirement for GIC facilities of not less than 918m² in gross floor area had been stipulated in the Notes of the “R(A)5” zone on the OZP to facilitate their early provision as part of the proposed residential development. The overall provision of GIC facilities would be closely monitored by relevant Government bureaux/departments;

- (b) the site was located in Sham Tseng which was a well-established residential area and was suitable for residential development with retail and GIC facilities;

Amendment Items B1 and B2

- (c) the operation of hotels was a commercial decision and the supply of the hotel room was largely market driven. Flexibility had been allowed under various zonings on the Tsuen Wan and Tsuen Wan West OZPs to cater for hotel development in the Tsuen Wan district; and
- (d) the site was located in the area of residential urban fringe character with clusters of low-density residential developments and was suitable for residential development with GIC facilities.

IMPLICATIONS OF THE PROPOSAL

9. The approval of the draft Tsuen Wan West OZP No. S/TWW/20A itself has no civil service implications. The economic, financial, environmental, sustainability, family and gender implications in respect of Amendment Items A1, A2 and B1 are set out below. The impacts of Amendment Item B2 are considered negligible as it is a minor amendment mainly to rationalise zoning boundary.

10. On economic implications, Amendment Items A1 and B1 will facilitate the proposed private housing developments, which can provide about 56 and 661 units upon completion respectively to help meet the housing demand in Hong Kong. The loss of about 690 hotel rooms arising from Amendment Item B1 should have minimal impact in overall terms given the current and upcoming hotel room supply.

11. On financial implications, land exchange for implementation of the proposed residential development with retail and SWFs under Amendment Items A1 and A2 is required. The land premium implication will depend on market conditions at the time of the land exchange and is yet to be determined at this stage. The estimated capital costs and the recurrent consequences of the proposed SWFs (including Day Care Centre for the Elderly (DE), sub-base neighbourhood elderly centre and home care services for frail elderly persons) under Amendment Item A1 and the proposed DE under Amendment Item B1 are not available at this early stage. Funds required will be sought in accordance with the established mechanism. Land resumption and clearance are not required for the Amendment Items.

12. On environmental implications, various technical assessments including environmental assessments have been conducted to assess the potential environmental impacts of the proposed amendments. The environmental assessments concluded that with the implementation of the proposed mitigation measures, no insurmountable environmental impact is anticipated. The proposed developments within the amendment sites will be planned, designed, constructed and implemented in accordance with the environmental guidelines and criteria laid down in the Environment Chapter of the Hong Kong Planning Standards and Guidelines.

13. As far as sustainability implications are concerned, the proposed developments could facilitate better utilisation of land resources to meet housing and social needs. The proposed developments may generate potential environmental impacts on the local area. Suitable mitigation measures should be implemented to alleviate any such possible impacts.

14. On family implications, the increase in housing supply could help improve the living environment of some families and in turn foster greater family harmony. The proposed SWFs under Amendment Items A1 and B1 would help meet the needs of families for such services and enhance their financial ability.

15. On gender implications, the proposed provision of SWFs under Amendment Items A1 and B1, if materialised, will serve people in need whose carers are often women. The proposal should therefore be conducive to relieving the burden of carers and facilitating their participation in the workforce.

PUBLIC CONSULTATION

16. During the processing of the respective section 12A applications relating to Amendment Items A1 and B1, the applications were made available for public inspection and comments in accordance with the provision of the pre-amended Ordinance. The public comments on the applications were considered by the MPC on 12 March 2021 and 2 June 2022 respectively.

PUBLICITY

17. The approved Tsuen Wan West OZP No. S/TWW/21 will be printed and exhibited in accordance with section 9D(2) of the Ordinance. A press release will be issued on the day of exhibition. A spokesman will be available for answering media enquiries.

A 18. The approved Tsuen Wan West OZP No. S/TWW/21 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 ES in respect of the approved Tsuen Wan West OZP No. S/TWW/21 is at **Enclosure II to Annex A**.

A-I
A-II

ENQUIRY

19. Any enquiry on this brief can be addressed to Ms Caroline TANG, Assistant Director of Planning/Board, PlanD (Tel. No. 2231 4606).

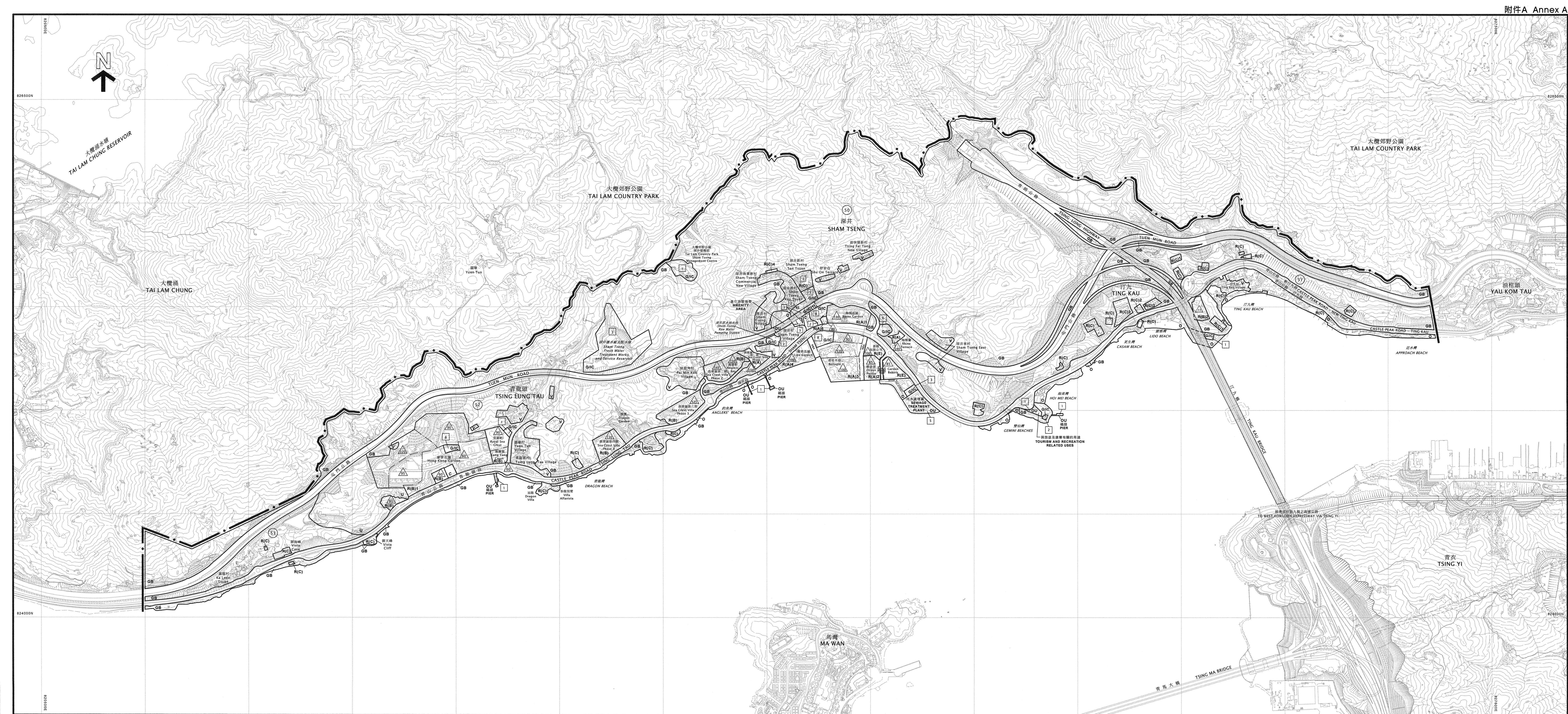
**PLANNING DEPARTMENT
NOVEMBER 2023**

APPROVED TSUEN WAN WEST OUTLINE ZONING PLAN NO. S/TWW/21

Annex A - Approved Tsuen Wan West Outline Zoning Plan (OZP) No. S/TWW/21

Enclosure I : Notes of the Approved Tsuen Wan West OZP No. S/TWW/21

Enclosure II : Explanatory Statement of the Approved Tsuen Wan West OZP No. S/TWW/21



圖例
NOTATION

ZONES	地帶	COMMUNICATIONS	交通
COMMERCIAL	商業	MAJOR ROAD AND JUNCTION	主要道路及路口
RESIDENTIAL (GROUP A)	住宅 (甲類)	ELEVATED ROAD	高架道路
RESIDENTIAL (GROUP B)	住宅 (乙類)		
RESIDENTIAL (GROUP C)	住宅 (丙類)		
RESIDENTIAL (GROUP D)	住宅 (丁類)	MISCELLANEOUS	其他
RESIDENTIAL (GROUP E)	住宅 (戊類)	BOUNDARY OF PLANNING SCHEME	規劃範圍界線
VILLAGE TYPE DEVELOPMENT	鄉村式發展	PLANNING AREA NUMBER	規劃區編號
GOVERNMENT, INSTITUTION OR COMMUNITY	政府、機構或社區	BUILDING HEIGHT CONTROL ZONE BOUNDARY	建築物高度管制區界線
OPEN SPACE	休憩用地	MAXIMUM BUILDING HEIGHT (IN METRES ABOVE PRINCIPAL DATUM)	最高建築物高度 (在主水平基準上以米計)
OTHER SPECIFIED USES	其他指定用途	MAXIMUM BUILDING HEIGHT (IN NUMBER OF STOREYS)	最高建築物高度 (樓層數目)
UNDETERMINED	未決定用途	NON-BUILDING AREA	非建築用地
GREEN BELT	綠化地帶		

土地用途及面積一覽表
SCHEDULE OF USES AND AREAS

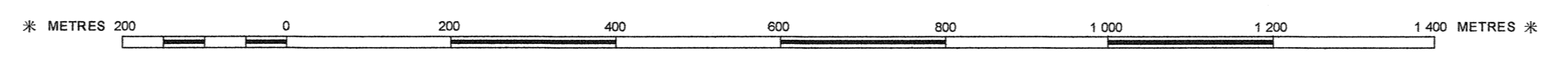
USES	大約面積及百分比 APPROXIMATE AREA & %		用途
	公頃 HECTARES	百分比 %	
COMMERCIAL	0.57	0.13	商業
RESIDENTIAL (GROUP A)	9.43	2.09	住宅 (甲類)
RESIDENTIAL (GROUP B)	21.43	4.75	住宅 (乙類)
RESIDENTIAL (GROUP C)	8.50	1.88	住宅 (丙類)
RESIDENTIAL (GROUP D)	0.72	0.16	住宅 (丁類)
RESIDENTIAL (GROUP E)	1.51	0.33	住宅 (戊類)
VILLAGE TYPE DEVELOPMENT	13.91	3.08	鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	10.00	2.22	政府、機構或社區
OPEN SPACE	7.83	1.73	休憩用地
OTHER SPECIFIED USES	1.74	0.39	其他指定用途
UNDETERMINED	9.43	2.09	未決定用途
GREEN BELT	302.22	66.95	綠化地帶
MAJOR ROAD ETC.	64.15	14.20	主要道路等
TOTAL PLANNING SCHEME AREA	451.44	100.00	規劃範圍面積

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11月14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 14 NOVEMBER 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荃灣西部分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
TSUEN WAN WEST - 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/TWW/21

APPROVED TSUEN WAN WEST OUTLINE ZONING PLAN NO. S/TWW/21

(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)
 - (a) No action is required to make the existing use of any land or building conform to this Plan until there is a material change of use or the building is redeveloped.
 - (b) Any material change of use or any other development (except minor alteration and/or modification to the development of the land or building in respect of the existing use which is always permitted) or redevelopment must be always permitted in terms of the Plan or, if permission is required, in accordance with the permission granted by the Town Planning Board.
 - (c) For the purposes of subparagraph (a) above, “existing use of any land or building” means:
 - (i) before the publication in the Gazette of the notice of the first statutory plan covering the land or building (hereafter referred as ‘the first plan’),
 - a use in existence before the publication of the first plan which has continued since it came into existence; or
 - a use or a change of use approved under the Buildings Ordinance which relates to an existing building; and
 - (ii) after the publication of the first plan,
 - a use permitted under a plan which was effected during the effective period of that plan and has continued since it was effected; or

- a use or a change of use approved under the Buildings Ordinance which relates to an existing building and permitted under a plan prevailing at the time when the use or change of use was approved.
- (4) 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.
- (5) Road junctions, alignments of roads and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.
- (6) Temporary uses (expected to be 5 years or less) of any land or building are always permitted as long as they comply with any other relevant legislation, the conditions of the Government lease concerned, and any other Government requirements, and there is no need for these to conform to the zoned use or these Notes. For temporary uses expected to be over 5 years, the uses must conform to the zoned use or these Notes.
- (7) The following uses or developments are always permitted on land falling within the boundaries of the Plan except where the uses or developments are specified in Column 2 of the Notes of individual zones:
- (a) provision, maintenance or repair of plant nursery, amenity planting, open space, rain shelter, refreshment kiosk, road, bus/public light bus stop or lay-by, cycle track, taxi rank, nullah, public utility pipeline, electricity mast, lamp pole, telephone booth, telecommunications radio base station, automatic teller machine and shrine;
 - (b) 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
 - (c) maintenance or repair of watercourse and grave.
- (8) In any area shown as 'Road', all uses or developments except those specified in paragraph (7) above and those specified below require permission from the Town Planning Board:
- toll plaza, on-street vehicle park and railway track.
- (9) In the "Undetermined" zone, all uses or developments except those specified in paragraph (7) above require permission from the Town Planning Board.

(10) 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.

(11) In these Notes,

“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 TSUEN WAN WEST OUTLINE ZONING PLAN NO. S/TWW/21

Schedule of Uses

	<u>Page</u>
COMMERCIAL	1
RESIDENTIAL (GROUP A)	3
RESIDENTIAL (GROUP B)	7
RESIDENTIAL (GROUP C)	10
RESIDENTIAL (GROUP D)	13
RESIDENTIAL (GROUP E)	15
VILLAGE TYPE DEVELOPMENT	20
GOVERNMENT, INSTITUTION OR COMMUNITY	22
OPEN SPACE	25
OTHER SPECIFIED USES	26
GREEN BELT	29

COMMERCIAL

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 Commercial Bathhouse/Massage Establishment Eating Place Educational Institution Exhibition or Convention Hall Government Use (not elsewhere specified) Information Technology and Telecommunications Industries Institutional Use (not elsewhere specified) Library Off-course Betting Centre Office Place of Entertainment Place of Recreation, Sports or Culture Private Club Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Recyclable Collection Centre Religious Institution School Shop and Services Social Welfare Facility Training Centre Utility Installation for Private Project	Broadcasting, Television and/or Film Studio Flat Government Refuse Collection Point Hospital Hotel House Petrol Filling Station Residential Institution

Planning Intention

This zone is intended primarily for commercial developments, which may include office, shop, services, place of entertainment and eating place, functioning mainly as local commercial and shopping centre(s).

(Please see next page)

COMMERCIAL (cont'd)Remarks

- (1) No new development or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys above one level of car park and the maximum plot ratio specified below, or the height and plot ratio of the existing building, whichever is the greater:

<u>Sites</u>	<u>Maximum Plot Ratio</u>
Commercial at Tsing Lung Tau	1.75
Commercial at Sham Tseng	2.15

- (2) In determining the maximum plot ratio for the purposes of paragraph (1) 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.
- (3) Where the permitted plot ratio as defined in Building (Planning) Regulations is permitted to be exceeded in circumstances as set out in Regulation 22(1) or (2) of the said Regulations, the plot ratio for the building on land to which paragraph (1) above applies may be increased by the additional plot ratio by which the permitted plot ratio is permitted to be exceeded under and in accordance with the said Regulation 22(1) or (2), notwithstanding that the relevant maximum plot ratio specified in paragraph (1) above may thereby be exceeded.
- (4) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height and/or plot ratio restrictions stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

RESIDENTIAL (GROUP A)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Ambulance Depot Flat Government Use (not elsewhere specified) House Library Market Place of Recreation, Sports or Culture Public Clinic Public Transport Terminus or Station (excluding open-air terminus or station) Residential Institution School (in free-standing purpose-designed building only) Social Welfare Facility Utility Installation for Private Project	Commercial Bathhouse/Massage Establishment Eating Place Educational institution Exhibition or Convention Hall Government Refuse Collection Point Hospital Hotel Institutional Use (not elsewhere specified) Office Petrol Filling Station Place of Entertainment Private Club Public Convenience Public Transport Terminus or Station (not elsewhere specified) Public Utility Installation Public Vehicle Park (excluding container vehicle) Religious Institution School (not elsewhere specified) Shop and Services (not elsewhere specified) Training Centre
<hr/> In addition, the following uses are always permitted (a) on the lowest three floors of a building, taken to include basements; or (b) in the purpose-designed non-residential portion of an existing building, both excluding floors containing wholly or mainly car parking, loading/unloading bays and/or plant room:	
<hr/> Eating Place Educational Institution Institutional Use (not elsewhere specified) Off-course Betting Centre Office Place of Entertainment Private Club Public Convenience Recyclable Collection Centre School Shop and Services Training Centre	

(Please see next page)

RESIDENTIAL (GROUP A) (cont'd)Planning Intention

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

Remarks

- (1) On land designated “Residential (Group A)”, no new development for a domestic or non-domestic building shall exceed a maximum domestic plot ratio of 5.0 or a maximum non-domestic plot ratio of 9.5, as the case may be. For new development of a building that is partly domestic and partly non-domestic, the plot ratio for the domestic part of the building shall not exceed the product of the difference between the maximum non-domestic plot ratio of 9.5 and the actual non-domestic plot ratio proposed for the building and the maximum domestic plot ratio of 5.0 divided by the maximum non-domestic plot ratio of 9.5.
- (2) On land designated “Residential (Group A)”, no 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 relevant maximum domestic and/or non-domestic plot ratio(s) stated in paragraph (1) above, or the domestic and/or non-domestic plot ratio(s) of the existing building, whichever is the greater, subject to, as applicable:
 - (a) the plot ratio(s) of the existing building shall apply only if any addition, alteration and/or modification to or redevelopment of an existing building is for the same type of building as the existing building, i.e. domestic, non-domestic, or partly domestic and partly non-domestic building; or
 - (b) the maximum domestic and/or non-domestic plot ratio(s) stated in paragraph (1) shall apply if any addition, alteration and/or modification to or redevelopment of an existing building is not for the same type of building as the existing building, i.e. domestic, non-domestic, or partly domestic and partly non-domestic building.
- (3) On land designated “Residential (Group 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 building heights, in terms of metres above Principal Datum (mPD) as stipulated on the Plan, or the height of the existing building, whichever is the greater.

(Please see next page)

RESIDENTIAL (GROUP A) (cont'd)Remarks (cont'd)

- (4) On land designated “Residential (Group A) 1”, no new development or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum domestic gross floor area (GFA) of 81,528m², a maximum non-domestic GFA of 3,824m² and the maximum building height in terms of mPD as stipulated on the Plan, or the GFA and height of the existing building, whichever is the greater. In addition, a GFA of not less than 725m² should be provided for Government, institution or community (GIC) facilities. The provision of GIC facilities, as required by the Government, will not be taken into account for the purposes of calculating the total non-domestic GFA.
- (5) On land designated “Residential (Group A) 2”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum GFA of 45,660m² or the GFA of the existing building, whichever is the greater, and the maximum building height in terms of mPD as stipulated on the Plan. A 5-metre wide promenade along the southern boundary of the site should also be provided for public use.
- (6) On land designated “Residential (Group A) 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 domestic GFA of 257,234m² and a maximum non-domestic GFA of 2,872m² or the GFA of the existing building, whichever is the greater, and the maximum building heights in terms of mPD as stipulated on the Plan. In addition, a day nursery, a children and youth centre cum study/reading room, a kindergarten consisting not less than 5 classrooms and a public transport terminus within the site should be provided. In determining the maximum domestic GFA or maximum non-domestic GFA, any floor space that is constructed or intended for use solely as day nursery, children and youth center cum study/reading room, kindergarten consisting not less than 5 classrooms and transport terminus, as required by the Government, may be disregarded. Two nullah decks on the eastern and northwestern sides (20m and 25m wide respectively) and a 10m-wide promenade along the southern boundary of the site should be provided and landscaped. The two nullah decks and the promenade should be linked up by a continuous pedestrian walkway and open for public access.
- (7) On land designated “Residential (Group A) 4”, 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 restrictions stated in paragraphs (1) and (2) above and the maximum building height in terms of mPD as stipulated on the Plan.

(Please see next page)

RESIDENTIAL (GROUP A) (cont'd)Remarks (cont'd)

- (8) On land designated “Residential (Group A) 5”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum domestic GFA of 4,531m², a maximum non-domestic GFA of 988m² and the maximum building height in terms of mPD as stipulated on the Plan, or the GFA and height of the existing building, whichever is the greater. In addition, a GFA of not less than 918m² for GIC facilities shall be provided. In determining the maximum domestic GFA or maximum non-domestic GFA, any floor space that is constructed or intended for use solely as GIC facilities, as required by the Government, may be disregarded.
- (9) In determining the relevant maximum plot ratio or GFA for the purposes of paragraphs (1), (2), (4), (5), (6) and (8) 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.
- (10) Where the permitted plot ratio as defined in Building (Planning) Regulations is permitted to be exceeded in circumstances as set out in Regulation 22(1) or (2) of the said Regulations, the plot ratio or GFA for the building on land to which paragraphs (1), (2), (4), (5), (6) and (8) applies may be increased by the additional plot ratio by which the permitted plot ratio is permitted to be exceeded under and in accordance with the said Regulation 22(1) or (2), notwithstanding that the relevant maximum plot ratio or GFA specified in paragraphs (1), (2), (4), (5), (6) and (8) above may thereby be exceeded.
- (11) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio/GFA and/or building height restrictions (except the GFA for GIC facilities specified in paragraph (4) above) stated in paragraphs (1), (2), (3), (4), (5), (6), (7) and (8) above, may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (12) Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the non-building area restrictions 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 B)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Flat Government Use (Police Reporting Centre, Post Office only) House Library Residential Institution School (in free-standing purpose-designed building only) Social Welfare Facility (on land designated "R(B)2" only) Utility Installation for Private Project	Ambulance Depot Eating Place Educational Institution Government Refuse Collection Point Government Use (not elsewhere specified) Hospital Hotel Institutional Use (not elsewhere specified) Off-course Betting Centre Office Petrol Filling Station Place of Entertainment Place of Recreation, Sports or Culture Private Club Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Recyclable Collection Centre Religious Institution School (not elsewhere specified) Shop and Services Social Welfare Facility (not elsewhere specified) Training Centre

Planning Intention

This zone is intended primarily for medium-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 B) (cont'd)Remarks

- (1) On land designated “Residential (Group B)”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building heights in terms of metres above Principal Datum (mPD) as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (2) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum site coverage and plot ratio stipulated in the following table, or the site coverage and plot ratio of the existing building, whichever is the greater:

<u>Height of Buildings in metres</u>	<u>Site Coverage (%)</u>	<u>Plot Ratio</u>
Not Exceeding 6m	30.0	0.60
Over 6m but not exceeding 9m	27.0	0.80
Over 9m but not exceeding 12m	25.0	1.00
Over 12m but not exceeding 15m	22.0	1.10
Over 15m but not exceeding 18m	20.0	1.20
Over 18m but not exceeding 21m	20.0	1.40
Over 21m but not exceeding 24m	18.7	1.50
Over 24m but not exceeding 27m	17.5	1.58
Over 27m but not exceeding 30m	17.5	1.75
Over 30m but not exceeding 33m	17.5	1.93
Over 33m	17.5	2.10

- (3) On land designated “Residential (Group B) 1”, no new development or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building height in terms of mPD as stipulated on the Plan and the maximum gross floor area (GFA) specified below, or the height and GFA of the existing building, whichever is the greater:

<u>Lot Number</u>	<u>Maximum GFA</u>
Tsing Lung Tau Lot No. 60 (Hong Kong Garden) (excluding commercial complex)	214,706m ²
Government land and Lots No. 15, 16, 18 and 19 in DD 388 (site surrounded by Hong Kong Garden)	2,898m ²

(Please see next page)

RESIDENTIAL (GROUP B) (cont'd)Remarks (cont'd)

- (4) On land designated “Residential (Group B) 2” (“R(B)2”), no new development or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum GFA of 29,400m², and no part of the structures shall exceed the maximum building height in terms of mPD as stipulated on the Plan, or the GFA and height of the existing building, whichever is the greater. In addition, a GFA of not less than 760m² for Government, institution or community (GIC) facilities shall be provided. In determining the maximum GFA, any floor space that is constructed or intended for use solely as GIC facilities, as required by the Government, may be disregarded.
- (5) For any new development or redevelopment of an existing building at “R(B)2”, a layout plan shall be submitted for the approval of the Town Planning Board. The layout plan should include the following information:
- (i) the proposed land use(s), and the form, disposition and heights of all buildings (including structures) to be erected on the site;
 - (ii) the proposed GFA of various uses and facilities;
 - (iii) an environmental assessment report to examine any possible environmental problems in respect of air quality and traffic noise that may be caused to or by the proposed development and the proposed mitigation measures to tackle them; and
 - (iv) such other information as may be required by the Town Planning Board.
- (6) In determining the maximum plot ratio/site coverage or GFA for the purposes of paragraphs (2), (3) and (4) 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.
- (7) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio, site coverage, GFA and/or building height restrictions stated in the paragraphs (1), (2), (3) and (4) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

RESIDENTIAL (GROUP C)

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

Planning Intention

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

Remarks

- (1) On land designated “Residential (Group C)”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 0.4 and a maximum building height of 3 storeys including car park, or the plot ratio and the height of the existing building, whichever is the greater.

(Please see next page)

RESIDENTIAL (GROUP C) (cont'd)Remarks (cont'd)

- (2) The maximum plot ratio of 0.4 set out in paragraph (1) above may, upon obtaining permission of the Town Planning Board on application under section 16 of the Town Planning Ordinance, be increased to a maximum of 0.75, provided that the noise impact from Castle Peak Road on the proposed development would be mitigated to the satisfaction of the Town Planning Board.
- (3) On land designated "Residential (Group C) 1", no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 0.75 and a maximum building height of 3 storeys including car park, or the plot ratio and the height of the existing building, whichever is the greater.
- (4) On land designated "Residential (Group C) 2", no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the restrictions stipulated in paragraph (1) above. The maximum plot ratio and building height may, upon obtaining permission of the Town Planning Board on application under section 16 of the Town Planning Ordinance, be increased to a maximum plot ratio of 1.2 and a maximum building height of 3 storeys above one level of car park provided that the noise impact from Castle Peak Road on the proposed development would be mitigated to the satisfaction of the Town Planning Board.
- (5) On land designated "Residential (Group C) 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 the restrictions stipulated in paragraph (1) above. The maximum GFA and building height may, upon obtaining permission of the Town Planning Board on application under section 16 of the Town Planning Ordinance, be increased to a maximum GFA of 7,268m² and a maximum building height of 5 storeys above one level of car park provided that the noise impact from Castle Peak Road on the proposed development would be mitigated to the satisfaction of the Town Planning Board.
- (6) On land designated "Residential (Group C) 4", no new development, addition to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 0.4 and a maximum building height of 3 storeys including car park.
- (7) In determining the relevant maximum plot ratio/GFA for the purposes of paragraphs (1), (2), (3), (4), (5) and (6) 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 building, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.

(Please see next page)

RESIDENTIAL (GROUP C) (cont'd)

Remarks (cont'd)

- (8) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio, GFA and/or building height restrictions stated in paragraphs (1), (2), (3), (4), (5) and (6) above, may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

RESIDENTIAL (GROUP D)

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

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

Eating Place
 Library
 School
 Shop and Services

Planning Intention

This zone is intended primarily for improvement and upgrading of existing temporary structures 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

- (1) 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 existing building, whichever is the greater.
- (2) No development including redevelopment for 'Flat' and 'House' uses, other than those to which paragraph (1) above shall apply, shall result in a development and/or redevelopment in excess of a maximum plot ratio of 0.4 and a maximum building height of 2 storeys (6m), or the plot ratio and height of the existing building, whichever is the greater.
- (3) In determining the relevant maximum plot ratio for the purposes of paragraph (2) 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.
- (4) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio and/or building height restrictions stated in paragraph (2) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

RESIDENTIAL (GROUP E)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Schedule I: for open-air development or for building other than industrial or industrial-office building@	
Ambulance Depot Government Use (not elsewhere specified) Public Transport Terminus or Station (excluding open-air terminus or station) Utility Installation for Private Project	Commercial Bathhouse/Massage Establishment Eating Place Educational Institution Exhibition or Convention Hall Flat Government Refuse Collection Point Hospital Hotel House Institutional Use (not elsewhere specified)
<hr/> In addition, the following uses are always permitted (a) on the lowest three floors of a building, taken to include basements, or (b) in the purpose-designed non-residential portion of an existing building, both excluding floors containing wholly or mainly car-parking, loading/unloading bays and/or plant room:	Library Office Petrol Filling Station Place of Entertainment Place of Recreation, Sports or Culture Private Club Public Clinic Public Convenience Public Transport Terminus or Station (not elsewhere specified) Public Utility Installation Public Vehicle Park (excluding container vehicle) Religious Institution Residential Institution School Shop and Services Social Welfare Facility Training Centre
<hr/> Eating Place Education Institution Institutional Use (not elsewhere specified) Library Off-course Betting Centre Office Place of Entertainment Place of Recreation, Sports or Culture Private Club Public Clinic Public Convenience Recyclable Collection Centre School Shop and Services Social Welfare Facility Training Centre	

(Please see next page)

RESIDENTIAL (GROUP E) (cont'd)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Schedule II: for existing industrial or industrial-office building [@]	
<p>Ambulance Depot</p> <p>Art Studio (excluding those involving direct provision of services or goods)</p> <p>Cargo Handling and Forwarding Facility (not elsewhere specified)</p> <p>Eating Place (Canteen only)</p> <p>Government Refuse Collection Point</p> <p>Government Use (not elsewhere specified)</p> <p>Information Technology and Telecommunications Industries</p> <p>Non-polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods[△])</p> <p>Office (Audio-visual Recording Studio, Design and Media Production, Office Related to Industrial Use only)</p> <p>Public Convenience</p> <p>Public Transport Terminus or Station</p> <p>Public Utility Installation</p> <p>Public Vehicle Park (excluding container vehicle)</p> <p>Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation</p> <p>Recyclable Collection Centre</p> <p>Research, Design and Development Centre</p> <p>Shop and Services (Motor-vehicle Showroom on ground floor, Service Trades only)</p> <p>Utility Installation for Private Project</p> <p>Warehouse (excluding Dangerous Goods[△] Godown)</p>	<p>Cargo Handling and Forwarding Facility (Container Freight Station, free-standing purpose-designed Logistics Centre only)</p> <p>Industrial Use (not elsewhere specified)</p> <p>Off-course Betting Centre</p> <p>Office (not elsewhere specified)</p> <p>Petrol Filling Station</p> <p>Place of Recreation, Sports or Culture</p> <p>Private Club</p> <p>Shop and Services (not elsewhere specified) (ground floor only except Ancillary Showroom[#] which may be permitted on any floor)</p> <p>Vehicle Repair Workshop</p> <p>Wholesale Trade</p>

(Please see next page)

RESIDENTIAL (GROUP E) (cont'd)

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

Schedule II: for existing industrial or industrial-office building[@] (cont'd)

<p>In addition, the following uses are always permitted in the purpose-designed non-industrial portion on the lower floors (except basements and floors containing wholly or mainly car parking, loading/unloading bays and/or plant room) of an existing building, provided that the uses are separated from the industrial uses located above by a buffer floor or floors and no industrial uses are located within the non-industrial portion:</p>	<p>In addition, the following use may be permitted with or without conditions on application to the Town Planning Board in the purpose-designed non-industrial portion on the lower floors (except basements and floors containing wholly or mainly car parking, loading/unloading bays and/or plant room) of an existing building, provided that the use is separated from the industrial uses located above by a buffer floor or floors and no industrial uses are located within the non-industrial portion:</p>
<p>Commercial Bathhouse/Massage Establishment Eating Place Educational Institution Exhibition or Convention Hall Institutional Use (not elsewhere specified) Library Off-course Betting Centre Office Place of Entertainment Place of Recreation, Sports or Culture Private Club Public Clinic Religious Institution School (excluding kindergarten) Shop and Services Training Centre</p>	<p>Social Welfare Facility (excluding those involving residential care)</p>

[@] An industrial or industrial-office building means a building which is constructed for or intended to be used by industrial or industrial-office purpose respectively as approved by the Building Authority.

[△] Dangerous Goods refer to substances classified as Dangerous Goods and requiring a licence for their use/storage under the Dangerous Goods Ordinance (Cap. 295).

[#] Ancillary Showroom requiring planning permission refers to showroom use of greater than 20% of the total usable floor area of an industrial firm in the same premises or building.

(Please see next page)

RESIDENTIAL (GROUP E) (cont'd)Planning Intention

This zone is intended primarily for phasing out of existing industrial uses through redevelopment (or conversion) for residential use on application to the Town Planning Board. Whilst existing industrial uses will be tolerated, new industrial developments are not permitted in order to avoid perpetuation of industrial/residential interface problem.

Remarks

- (1) No new development or redevelopment of an existing building for a domestic or non-domestic building shall exceed a maximum domestic plot ratio of 5.0 or a maximum non-domestic plot ratio of 9.5, as the case may be. For new development of or redevelopment to a building that is partly domestic and partly non-domestic, the plot ratio for the domestic part of the building shall not exceed the product of the difference between the maximum non-domestic plot ratio of 9.5 and the actual non-domestic plot ratio proposed for the building and the maximum domestic plot ratio of 5.0 divided by the maximum non-domestic plot ratio of 9.5.
- (2) No addition, alteration and/or modification to an existing building shall result in a total development in excess of the plot ratio of the existing building, except for modification of an existing non-domestic building to a domestic building or a building that is partly domestic and partly non-domestic, in which case the development shall not exceed the relevant maximum domestic and/or non-domestic plot ratio(s) stated in paragraph (1) above.
- (3) In determining the maximum plot ratio for the purposes of paragraph (1) 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.
- (4) Where the permitted plot ratio as defined in Building (Planning) Regulations is permitted to be exceeded in circumstances as set out in Regulation 22(1) or (2) of the said Regulations, the plot ratio for the building on land to which paragraph (1) applies may be increased by the additional plot ratio by which the permitted plot ratio is permitted to be exceeded under and in accordance with the said Regulation 22(1) or (2), notwithstanding that the relevant maximum plot ratio specified in paragraph (1) above may thereby be exceeded.

(Please see next page)

RESIDENTIAL (GROUP E) (cont'd)

Remarks (cont'd)

- (5) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building heights in terms of metres above Principal Datum as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (6) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio and/or building height restrictions stated in paragraphs (1) and (5) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (7) Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the non-building area restrictions as shown on the Plan 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	Eating Place Government Refuse Collection Point Government Use (not elsewhere specified)# House (not elsewhere specified) Institutional Use (not elsewhere specified)# Petrol Filling Station Place of Recreation, Sports or Culture Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation# Public Vehicle Park (excluding container vehicle) Religious Institution (not elsewhere specified)# Residential Institution# School# Shop and Services Social Welfare Facility# Utility Installation for Private Project
<hr/> In addition, the following uses are always permitted on the ground floor of a New Territories Exempted House:	
<hr/> Eating Place Library School Shop and Services	

(Please see next page)

VILLAGE TYPE DEVELOPMENT (cont'd)Planning Intention

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

Remarks

- (1) 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 existing building, whichever is the greater.
- (2) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restrictions stated in paragraph (1) 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
-----------------------------------	---

Schedule I: for “Government, Institution or Community” other than “Government, Institution or Community (1)”

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
Cable Car Route and Terminal Building	Correctional Institution
Eating Place (Canteen, Cooked Food Centre only)	Crematorium
Educational Institution	Driving School
Exhibition or Convention Hall	Eating Place (not elsewhere specified)
Field Study/Education/Visitor Centre	Flat
Government Refuse Collection Point	Funeral Facility
Government Use (not elsewhere specified)	Holiday Camp
Hospital	House
Institutional Use (not elsewhere specified)	Marine Fuelling Station
Library	Off-course Betting Centre
Market	Office
Pier	Petrol Filling Station
Place of Recreation, Sports or Culture	Place of Entertainment
Public Clinic	Private Club
Public Convenience	Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation
Public Transport Terminus or Station	Refuse Disposal Installation (Refuse Transfer Station only)
Public Utility Installation	Residential Institution
Public Vehicle Park (excluding container vehicle)	Sewage Treatment/Screening Plant
Recyclable Collection Centre	Shop and Services (not elsewhere specified)
Religious Institution	Utility Installation for Private Project
Research, Design and Development Centre	
School	
Service Reservoir	
Social Welfare Facility	
Training Centre	
Wholesale Trade	

(Please see next page)

GOVERNMENT, INSTITUTION OR COMMUNITY (cont'd)

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

Schedule II: for "Government, Institution or Community (1)"

Ambulance Depot Government Refuse Collection Point Government Use (Police Reporting Centre/Police Post only) Public Convenience Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Recyclable Collection Centre	Animal Quarantine Centre Government Use (not elsewhere specified) Institutional Use (not elsewhere specified) Office Petrol Filling Station (excluding those involving liquefied petroleum gas) Place of Recreation, Sports or Culture Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation Research, Design and Development Centre Sewage Treatment/Screening Plant Shop and Services Social Welfare Facility (excluding those involving residential care) 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. In particular, the sub-zone "Government, Institution or Community (1)" covers land beneath flyover. Due to the physical constraints and environmental conditions of such land, only selected Government, institution or community facilities are permitted in this sub-zone. Some other community and social welfare facilities may be permitted on application to the Town Planning Board.

(Please see next page)

GOVERNMENT, INSTITUTION OR COMMUNITY (cont'd)

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building heights in terms of number of storeys as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (2) In determining the relevant maximum number of storeys for the purposes of paragraph (1) above, any basement floor(s) may be disregarded.
- (3) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restrictions stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

OTHER SPECIFIED USES

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

For "Tourism and Recreation Related Uses" Only

Eating Place	Government Use (not elsewhere specified)
Field Study/Education/Visitor Centre	Private Club
Exhibition or Convention Hall	
Government Use (Police Reporting Centre, Post Office only)	
Place of Entertainment	
Place of Recreation, Sports or Culture	
Public Convenience	
Public Utility Installation	
Shop and Services	
Utility Installation for Private Project	

Planning Intention

This zone is intended primarily for preservation of the ex-Government quarter building for adaptive tourism and recreation and related uses.

Remarks

- (1) Any demolition of, or addition, alteration and/or modification to (except restoration works coordinated or implemented by Government and those minor alteration and/or modification works which are ancillary and directly related to the always permitted uses) an existing building requires planning permission from the Town Planning Board under section 16 of the Town Planning Ordinance.
- (2) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building height in terms of number of storeys as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (3) In determining the relevant maximum number of storeys for the purposes of paragraph (2) above, any basement floor(s) may be disregarded.
- (4) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (2) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(Please see next page)

OTHER SPECIFIED USES (cont'd)

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

For "Sewage Treatment Plant " Only

Sewage Treatment Plant

Government Use (not elsewhere specified)
Utility Installation not Ancillary to the
Specified UsePlanning Intention

This zone is intended primarily for the development of sewage treatment plant.

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building height in terms of number of storeys as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (2) In determining the relevant maximum number of storeys for the purposes of paragraph (1) above, any basement floor(s) may be disregarded.
- (3) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(Please see next page)

OTHER SPECIFIED USES (cont'd)

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

For "Amenity Area" Only

Amenity Area

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

Planning Intention

This zone is intended primarily for the provision of land for the development of amenity area.

For "Pier" only

Government Use
Pier

Eating Place
Marine Fuelling Station
Public Utility Installation
Shop and Services

Planning Intention

This zone is intended primarily for the provision of land for pier use.

Remarks

- (1) Kiosks not greater than 10m² each in area and not more than ten in number for use as shop and services are considered as ancillary to "Pier" use.
- (2) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building height in terms of number of storeys as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (3) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction mentioned in paragraph (2) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

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 Flat Government Refuse Collection Point Government Use (not elsewhere specified) Grave Holiday Camp House 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

This zone is intended primarily for the conservation of the existing natural environment amid the built-up areas/at the urban fringe, to safeguard it from encroachment by urban type development, and to provide additional outlets for passive recreational activities. There is a general presumption against development within this zone.

APPROVED TSUEN WAN WEST
OUTLINE ZONING PLAN NO. S/TWW/21

EXPLANATORY STATEMENT

EXPLANATORY STATEMENT

APPROVED TSUEN WAN WEST OUTLINE ZONING PLAN NO. S/TWW/21

<u>Contents</u>	Page
1. INTRODUCTION	1
2. AUTHORITY FOR THE PLAN AND PROCEDURES	1
3. OBJECT OF THE PLAN	2
4. NOTES OF THE PLAN	3
5. THE PLANNING SCHEME AREA	3
6. POPULATION	4
7. BUILDING HEIGHT RESTRICTIONS IN THE AREA	4
8. NON-BUILDING AREAS	5
9. LAND USE ZONINGS	7
9.1 Commercial	7
9.2 Residential (Group A)	8
9.3 Residential (Group B)	11
9.4 Residential (Group C)	12
9.5 Residential (Group D)	14
9.6 Residential (Group E)	14
9.7 Village Type Development	15
9.8 Government, Institution or Community	16
9.9 Open Space	17
9.10 Other Specified Uses	17
9.11 Undetermined	18
9.12 Green Belt	18
10. TRANSPORT	19
11. CULTURAL HERITAGE	19
12. UTILITY SERVICES	20
13. IMPLEMENTATION	20

APPROVED TSUEN WAN WEST OUTLINE ZONING PLAN No. S/TWW/21

(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 Tsuen Wan West Outline Zoning Plan (OZP) No. S/TWW/21. It reflects the planning intention and objectives of the Town Planning Board (the Board) for the various land use zones of the Plan.

2. AUTHORITY FOR THE PLAN AND PROCEDURES

- 2.1 On 10 July 1987, the then Secretary for Lands and Works, under delegated power of the then Governor, directed the Board, under section 3 of the Town Planning Ordinance (the Ordinance), to prepare a draft plan for the Tsuen Wan West area.
- 2.2 On 3 February 1989, the draft Plan, Tsuen Wan West OZP No. S/TWW/1 was exhibited for public inspection under section 5 of the Ordinance. Since then, the OZP had been amended 5 times to reflect the changing circumstances.
- 2.3 On 5 May 1998, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Tsuen Wan West OZP, which was subsequently renumbered as S/TWW/7.
- 2.4 On 30 November 1999, the CE in C referred the approved Tsuen Wan West OZP No. S/TWW/7 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. Since then, the OZP had been amended 6 times to reflect the changing circumstances.
- 2.5 On 8 July 2003, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Tsuen Wan West OZP, which was subsequently renumbered as S/TWW/14. On 9 December 2003, the CE in C referred the approved OZP No. S/TWW/14 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was subsequently amended twice and exhibited for public inspection under section 5 or 7 of the Ordinance to reflect the changing circumstances.
- 2.6 On 8 May 2007, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Tsuen Wan West OZP, which was subsequently renumbered as

S/TWW/17. On 4 January 2011, the CE in C referred the approved Tsuen Wan West OZP No. S/TWW/17 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. On 16 August 2011, the Secretary for Development, under the delegated authority of the Chief Executive, directed the Board under section 3(1)(a) of the Ordinance to extend the planning scheme boundary of the Tsuen Wan West OZP to cover an area near the tunnel portal of Tsing Long Highway. The OZP was subsequently amended once and exhibited for public inspection under section 5 of the Ordinance.

- 2.7 On 4 December 2012, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Tsuen Wan West OZP, which was subsequently renumbered as S/TWW/19. On 18 October 2022, the CE in C referred the approved Tsuen Wan West OZP No. S/TWW/19 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The reference back of the approved OZP was notified in the Gazette on 28 October 2022 under section 12(2) of the Ordinance.
- 2.8 On 16 December 2022, the draft Tsuen Wan West OZP No. S/TWW/20 was exhibited for public inspection under section 5 of the Ordinance. It mainly incorporated amendments to (i) rezone a site to the west of Rhine Garden in Sham Tseng from “Government, Institution or Community” to “Residential (Group A)5” and (ii) rezone a site abutting the roundabout of Castle Peak Road - New Ting Kau from “Comprehensive Development Area (1)”, “Green Belt” and an area shown as ‘Road’ to “Residential (Group B)2”. During the two-month exhibition period, two representations were received. On 3 March 2023, the representations were published for three weeks for public comments and three comments were received. After giving consideration to the representations and comments on 21 July 2023, the Board decided not to uphold the representations.
- 2.9 On 14.11.2023, the CE in C, under Section 9(1)(a) of the Ordinance, approved the draft Tsuen Wan West OZP, which was subsequently renumbered as S/TWW/21. On 24.11.2023, the approved Tsuen Wan West OZP No. S/TWW/21 (the Plan) was exhibited for public inspection under section 9D(2) of the Ordinance.

3. OBJECT OF THE PLAN

- 3.1 The object of the Plan is to indicate the broad land use zonings and major road networks within which the development and redevelopment of land can be put under statutory planning control.
- 3.2 The Plan is to illustrate the broad principles of development and to provide guidance for more detailed planning 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 proceeds.
- 3.3 Since the Plan is to show broad land use zonings, there would be situations in which small strips of land not intended for building development purposes and

carry no development right under the lease, such as the areas restricted as non-building area 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 and site coverage calculation. Development within residential zones should be restricted to building lots carrying development right in order to maintain the character and amenity of the Tsuen Wan West area and not to overload the road network in this area.

4. NOTES OF THE PLAN

- 4.1 Attached to the Plan is a set of Notes which shows the types of uses or developments which are always permitted within the Planning Scheme Area 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 (PlanD) and can be downloaded from the Board's website at <http://www.tpb.gov.hk/>.

5. THE PLANNING SCHEME AREA

- 5.1 The Planning Scheme Area (the Area) is defined by the Tai Lam Country Park boundary to the north, Ma Wan Fairway to the south, Tuen Mun New Town to the west, and the boundary of Tsuen Wan Outline Zoning Plan to the east. The landward boundary at the western, northern and eastern sides is delineated in a heavy broken line on the Plan.
- 5.2 The Area has a total area of about 451 hectares (ha). It covers three geographical districts, viz. Ting Kau, Sham Tseng and Tsing Lung Tau. It also includes a number of old village settlements, such as Sham Tseng Village and Yuen Tun Village which are resite villages whilst Ting Kau Village and Tsing Lung Tau Village are old recognised villages.
- 5.3 The Area lies at the edge of urban areas within vegetated or wooded settings. It is characterised by a mix and gradual gradation of high density development at the sub-urban core of Sham Tseng in the central, medium and low density developments along the eastern and western coastal areas and hilly terrain in the north. The general planning intention is to maintain the urban fringe character of the Area through the preservation of the existing townscape, characters and a development profile compatible with the surrounding natural environment.

6. POPULATION

According to the 2016 By-Census, the total population in the Area was about 38,100 persons. The planned population in the Area is expected to be about 37,700 persons.

7. BUILDING HEIGHT RESTRICTIONS IN THE AREA

- 7.1 In order to provide better planning control on the development intensity and building height upon development/redevelopment and to meet public aspirations for greater certainty and transparency in the statutory planning control, a review of the Tsuen Wan West OZP has been undertaken with a view to incorporating appropriate building height restrictions on the Plan for respective development zones. In the absence of building height control, excessively tall buildings may proliferate and the scale may be out-of-context in the locality, resulting in negative impacts on the visual quality of the Area. In order to prevent excessively tall and/or out-of-context buildings in the waterfront areas and to ensure that new building developments are compatible with the surrounding natural environment and character of the locality and to provide better control on the building heights of developments in the Area, appropriate building height restrictions are imposed on various development zones on the Plan.
- 7.2 The overall urban fringe character of the Area should be maintained with higher development intensity in the sub-urban core in Sham Tseng in the central, medium and low density development along the coastal area of Ting Kau in the east, Tsing Lung Tau in the west and the uphill area in the north. The stepped building height concept in general as recommended in the Urban Design Guidelines of the Hong Kong Planning Standards and Guidelines with lower buildings and more open setting along the waterfront and building heights increasing progressively to the inland areas has been adopted, taking into account the topography, local character, local wind environment, compatibility with the wider setting, as well as the need to strike a balance between public interest and private development rights. Owing to the topography of the Area, there are different height restrictions for Ting Kau, Sham Tseng and Tsing Lung Tau. For Ting Kau, generally, building height of 3 storeys including car park has been adopted to preserve the existing low-rise low-density character. For Sham Tseng and Tsing Lung Tau, there are different height bands increasing progressively from the waterfront towards the uphill areas with a stepped height profile. Specific building height restrictions are adopted for some developments to preserve the local character.
- 7.3 Specific building height restrictions for the “Government, Institution or Community” (“G/IC”) and “OU” zones in terms of number of storeys, which mainly reflect the functional requirement of the existing and planned developments, have been incorporated into the Plan.
- 7.4 For the “Undetermined” zone in Tsing Lung Tau, the building height restriction will be incorporated upon finalisation of the future use.

- 7.5 An Expert Evaluation on Air Ventilation Assessment (AVA) has been undertaken to assess the existing wind environment and the likely impact of the proposed building heights of the development sites within the Area on the pedestrian wind environment. The building height and non-building area (NBA) restrictions shown on the Plan have taken the findings of the AVA into consideration.
- 7.6 In general, a minor relaxation clause in respect of building height restrictions is incorporated into the Notes of the Plan in order to provide incentive for developments/redevelopments with planning and design merits and to cater for circumstances with specific site constraints. Each planning application for minor relaxation of building height restriction under section 16 of the Ordinance will be considered on its own merits and the relevant criteria for consideration of such application are as follows:
- (a) amalgamating smaller sites for achieving better urban design and local area improvements;
 - (b) accommodating the bonus plot ratio granted under the Buildings Ordinance in relation to surrender/dedication of land/area for use as a public passage/street widening;
 - (c) providing better streetscape/good quality street level public urban space;
 - (d) providing separation between buildings to enhance air ventilation and visual permeability;
 - (e) accommodating building design to address specific site constraints in achieving the permissible plot ratio under the Plan; and
 - (f) other factors such as need for tree preservation, innovative building design and planning merits that would bring about improvements to townscape and amenity of the locality and would not cause adverse landscape and visual impacts.
- 7.7 However, for any existing building with building height already exceeding the building height restrictions in terms of metres above Hong Kong Principal Datum (mPD) and/or number of storeys as shown in the Notes of the Plan and/or stipulated on the Plan, there is a general presumption against such application for minor relaxation unless under exceptional circumstances.

8. NON-BUILDING AREAS

- 8.1 According to the findings of the AVA, in general, the major prevailing annual wind comes from the northeast and east. The prevailing summer wind mainly comes from the east, south and southeast directions. Cooler air movement from the hill north of the Area and sea breeze from the south are beneficial to air ventilation and human thermal comfort in the Area. Castle Peak Road and the east to west oriented streets in Tsing Lung Tau will serve as air paths for the annual easterly wind. The north to south oriented streets

and gaps at the waterfront will serve as air paths for the summer sea breeze from the south and southeast.

- 8.2 Sham Tseng has a row of high-rise residential developments along its waterfront. There are gaps between Sea Crest Villa Phases 2 and 3, Lido Garden, Bellagio and Ocean Pointe and also Sham Tsz Street which provide a useful relief allowing sea breezes to filter through to the areas north of these developments. The existing gaps between the above developments and at Sham Tsz Street in the area should be respected, maintained and enhanced.
- 8.3 In general, the AVA concludes that there is no major air ventilation issue for the Area. Buildings on the waterfront should be carefully designed with gaps between towers to maintain permeability of air ventilation to its wake areas (i.e. weak wind areas behind buildings). To facilitate better air ventilation in the Area, the AVA recommends to maintain the gap between Bellagio and Ocean Pointe and to widen the gap at Sham Tsz Street to improve permeability and thus air ventilation in the waterfront areas.
- 8.4 Taking into account the findings of the AVA and other relevant factors such as site constraints and impacts on development/redevelopment potential, the following NBAs to facilitate air flows between the coastal and inland areas have been incorporated into the Plan:
 - (a) A strip of land (25m-wide) in the northwestern part of Bellagio has been designated as a NBA. The NBA passes through the landscape area of Bellagio and connects to Castle Peak Road. It facilitates air flow from the south for the inland area particularly the Sham Tseng Catholic Primary School located just behind Bellagio.
 - (b) A strip of land (20m-wide) in the eastern part of Bellagio has been designated as a NBA. The NBA passes through the landscape area of Bellagio and connects to Castle Peak Road. It facilitates air flow from the south for the inland area.
 - (c) Sham Tsz Street in Sham Tseng has a width of 12m (including pavements). The following strips of land aligned with Sham Tsz Street have been designated as NBAs to facilitate air flow from the south for the inland area:
 - (i) a strip of land (3m-wide) along the eastern part of Ocean Pointe has been designated as a NBA. As it is currently blocked by podium structures of Ocean Pointe, the NBA would be realised upon redevelopment of the site;
 - (ii) a strip of land (3m-wide) along the eastern portion of a “R(E)” site (Lot No. 193 in DD 390) has been designated as a NBA. As it is currently blocked by structures of Garden Co. Ltd., the NBA would be realised upon redevelopment of the site; and
 - (iii) a strip of land (3m-wide) along the western portion of a “R(E)” site (Lot No. 194 in DD 390) has been designated as a NBA.

As it is currently blocked by structures of Garden Co. Ltd., the NBA would be realised upon redevelopment of the site.

- 8.5 The above NBAs should be taken into account upon future development/redevelopment of the sites. As the designation of NBAs is primarily for the purpose of above ground air ventilation, the NBA requirements will not apply to underground developments. Moreover, a minor relaxation clause has been incorporated into the Notes of the relevant zones to allow minor relaxation of the NBA restrictions as shown on the Plan under exceptional circumstances.
- 8.6 According to the AVA, breezeways, air paths, open spaces, gaps between buildings and building permeability especially at near ground level, are effective for maintaining/improving air ventilation in the Area. Future developments are encouraged to adopt suitable design measures to minimise any possible adverse air ventilation impacts, including greater permeability of podium, wider gap between buildings, disposition, orientation, and perforation of building towers to align with the prevailing winds, as appropriate.

9. LAND USE ZONINGS

9.1 Commercial (“C”) : Total Area 0.57 ha

- 9.1.1 This zone is intended primarily for commercial developments, which may include office, shop, services, place of entertainment and eating place, functioning mainly as local commercial and shopping centre(s).
- 9.1.2 The two existing sub-urban commercial centres, namely the sub-district commercial centre associated with the Hong Kong Garden Development in Tsing Lung Tau and the cluster of specialty roast-geese restaurants in Sham Tseng, are zoned for commercial uses. Within this zone, a selective number of commercial uses are permitted as of right to enhance the role of a sub-urban commercial centre. In order to be compatible with the low-density character of the neighbourhood, development or redevelopment within this zone is restricted to three storeys above one level of car park as stipulated in the Notes and maximum plot ratios of 1.75 and 2.15 for the sites in Tsing Lung Tau and Sham Tseng respectively, or the height and plot ratio of the existing building, whichever is the greater.
- 9.1.3 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the plot ratio and/or building height restrictions may be considered by the Board on application under section 16 of the Ordinance. The criteria given in paragraph 7.6 above are relevant for assessment for minor relaxation of building height restrictions. Each application will be considered on its individual merits.

9.2 Residential (Group A) (“R(A)”) : Total Area 9.43 ha

- 9.2.1 This zone is intended primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building. Shop and services such as banks, fast food shop and retail shops are always permitted on the lowest three floors of a building or the purpose-designed non-residential portion of an existing building. Shop and services on other parts of the building will require planning permission from the Board.
- 9.2.2 This zone covers a number of existing developments in Sham Tseng area, namely Lido Garden, Bellagio, Ocean Pointe, Rhine Garden, Rhine Terrace and Sea Crest Villa (Phase 1).
- 9.2.3 Development within this zone is subject to a maximum domestic plot ratio of 5.0 or a maximum non-domestic plot ratio of 9.5, as the case may be. For new development of a building that is partly domestic and partly non-domestic, the plot ratio for the domestic part of the building shall not exceed the product of the difference between the maximum non-domestic plot ratio of 9.5 and the actual non-domestic plot ratio proposed for the building and the maximum domestic plot ratio of 5.0 divided by the maximum non-domestic plot ratio of 9.5.
- 9.2.4 For the addition, alteration and/or modification to or redevelopment of any existing building, it shall not result in a total development and/or redevelopment in excess of the restrictions in paragraph 9.2.3 above, or the domestic and/or non-domestic plot ratio(s) of the existing building, whichever is the greater, subject to, as applicable – (a) the plot ratio of the existing building shall apply only if any addition, alteration and/or modification to or redevelopment of an existing building is for the same type of building as the existing building, or (b) the maximum domestic and/or non-domestic plot ratio(s) stated in paragraph 9.2.3 above shall apply if any addition, alteration and/or modification to or redevelopment of an existing building is not for the same type of building as the existing building. This is to avoid the interchangeability of domestic and non-domestic plot ratios of an existing building.
- 9.2.5 Developments and redevelopments within the “R(A)” zone are subject to building height restrictions as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- 9.2.6 This zone includes five sub-areas and their development restrictions are specified below.

“Residential (Group A) 1” (“R(A)1”) : Total Area 1.73 ha

- 9.2.7 The Rhine Garden off Castle Peak Road in Sham Tseng is under this sub-area. Development or redevelopment at this site is restricted to a maximum domestic GFA of 81,528m² and a maximum non-domestic

GFA of 3,824m². In addition, a GFA of not less than 725m² should be provided for Government, Institution and Community (GIC) facilities. The site is subject to a maximum building height of 130mPD as stipulated on the Plan, or the height of the existing building, whichever is the greater.

“Residential (Group A) 2” (“R(A) 2”) : Total Area 0.91 ha

- 9.2.8 The residential development of Ocean Pointe, which is located to the south-west of the Garden Co. Ltd. in Sham Tseng, is under this sub-area. Development or redevelopment at this site is restricted to a maximum GFA of 45,660m². A 5-metre wide promenade along the southern boundary of the site should also be provided for public use. A 3m-wide NBA along the eastern boundary of the site as shown on the Plan should also be provided as a means for improvement of air ventilation in the area. The existing building height of the development at 176mPD is considered excessively tall and out-of-context with the waterfront setting. Having regard to the urban fringe character of the area, the waterfront setting, the stepped height concept and taking into account the permissible GFA and the requirement for provision of public promenade/NBA under the OZP, a maximum building height of 85mPD is imposed on the site. Future redevelopment to the existing building height is not allowed taking into account the waterfront setting and to ensure the realisation of the planning intention upon redevelopment in the long term.

“Residential (Group A) 3” (“R(A)3”) : Total Area 4.64 ha

- 9.2.9 The residential and commercial development of Bellagio off Castle Peak Road in Sham Tseng is under this sub-area. Development or redevelopment at this site should not result in excess of a maximum domestic GFA of 257,234m² and a maximum non-domestic GFA of 2,872m². In determining the maximum domestic GFA or maximum non-domestic GFA, any floor space that is constructed or intended for use solely as day nursery, children and youth center cum study room, kindergarten consisting not less than 5 classrooms and transport terminus, as required by the Government, may be disregarded. Furthermore, two nullah decks (20m wide on the eastern side and 25m wide on the northwestern side) which also serve as NBA for air ventilation purpose and a 10m-wide promenade along the southern boundary of the site should be provided and landscaped. The two nullah decks and the promenade should be linked up by a continuous pedestrian walkway and open for public access.
- 9.2.10 The existing building heights of the residential towers of 193mPD are considered excessively tall and out-of-context with the waterfront setting. Having regard to the urban fringe character of the area, the waterfront setting, the stepped height concept and taking into account the permissible GFA, and the requirement for provision of public transport terminus, public promenade/walkway and NBA under the OZP, maximum building heights of 100mPD and 120mPD are

imposed on the site. A maximum building height of 30mPD is imposed for the existing public transport terminus and Bellagio Mall at the northern part of the site fronting Castle Peak Road to maintain the existing low-rise character to be compatible with the adjoining school development. Future redevelopment to the existing building height of the residential towers is not allowed taking into account the waterfront setting and to ensure the realisation of the planning intention upon redevelopment in the long term.

“Residential (Group A) 4” (“R(A)4”) : Total Area 1.20 ha

- 9.2.11 The residential development of Lido Garden off Castle Peak Road in Sham Tseng is under this sub-area. The existing building height of the development of 110mPD is considered incompatible with the waterfront setting. Having regard to the urban fringe character of the area, the waterfront setting, the stepped height concept and taking into account the existing plot ratio and site configuration, a maximum building height of 100mPD is imposed on the site. Future redevelopment to the existing building height is not allowed taking into account the waterfront setting and to ensure the realisation of the planning intention upon redevelopment in the long term.

“Residential (Group A) 5” (“R(A)5”) : Total Area 0.10 ha

- 9.2.12 A site to the west of Rhine Garden in Sham Tseng is under this sub-area. Development or redevelopment within this sub-area is restricted to a maximum domestic GFA of 4,531m², a maximum non-domestic GFA of 988m² and a maximum building height of 80mPD, or the GFA and height of the existing building, whichever is the greater. A GFA of not less than 918m² for GIC facilities shall be provided at the site. The GFA control under “R(A)5” zone is regarded as being stipulated in a “new or amended statutory plan” according to the Joint Practice Note No. 4 “Development Control Parameters Plot Ratio/Gross Floor Area”, and shall be subject to the streamlining arrangements stated therein.
- 9.2.13 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height, plot ratio and/or GFA restrictions (except that on the GFA for GIC within “R(A)1” zone) may be considered by the Board on application under section 16 of the Ordinance. The criteria given in paragraph 7.6 above would be relevant for assessment for minor relaxation of building height restrictions. Each application will be considered on its individual merits. Under exceptional circumstances, minor relaxation of the NBA restriction may be considered by the Board on application under section 16 of the Ordinance.

9.3 Residential (Group B) (“R(B)”) : Total Area 21.43 ha

- 9.3.1 This zone is intended primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.
- 9.3.2 Existing medium-density residential developments, including Royal Sea Crest, Lung Tang Court and L’aquatique in Tsing Lung Tau, and Angler’s Bay and Sea Crest Villa (Phases 2, 3 and 4) between Sham Tseng and Tsing Lung Tau north of Castle Peak Road, are included in this zone. A site (Lot No. 94 in DD 388) to the south of Hong Kong Garden is planned for residential use. Technical concerns for development on these sites, if any, would need to be addressed in the preparation of the lease conditions. In view of the infrastructural constraints in the Area, the density of development within this zone is controlled by means of plot ratio and site coverage. Development or redevelopment within this zone is required to comply with the plot ratio and site coverage restrictions set out in the Notes, and the respective building height restriction as stipulated on the Plan, or the plot ratio, site coverage and height of the existing building, whichever is the greater.
- 9.3.3 This zone includes two sub-areas and their development restrictions are specified below.

“Residential (Group B) 1” (“R(B)1”) : Total Area 13.52 ha

- 9.3.4 Hong Kong Garden and a site surrounded by Hong Kong Garden in Tsing Lung Tau are under this sub-area. Developments or redevelopments at these sites are restricted to maximum GFA specified below, or the GFA of the existing building, whichever is the greater:

<u>Lot Number</u>	<u>Maximum GFA</u>
Tsing Lung Tau Lot No. 60 (Hong Kong Garden)(excluding commercial complex)	214,706m ²
Government land and Lots No. 15, 16, 18 and 19 in DD 388 (site surrounded by Hong Kong Garden)	2,898m ²

Developments or redevelopments within this sub-area are also restricted to maximum building heights of 60mPD, 90mPD, 95mPD and 120mPD, or the height of the existing building, whichever is the greater, having regard to the urban fringe character of the area and the stepped height concept.

“Residential (Group B) 2” (“R(B)2”) : Total Area 0.65 ha

- 9.3.5 A site abutting the roundabout of Castle Peak Road - New Ting Kau is under this sub-area. Development or redevelopment within this sub-area is restricted to a maximum GFA of 29,400m², and no part of

the structures of the development or redevelopment shall exceed 77mPD, or the GFA and height of the existing building, whichever is the greater. A GFA of not less than 760m² for GIC facilities shall be provided at the site. The GFA control under “R(B)2” zone is regarded as being stipulated in a “new or amended statutory plan” according to the Joint Practice Note No. 4 “Development Control Parameters Plot Ratio/Gross Floor Area”, and shall be subject to the streamlining arrangements stated therein.

- 9.3.6 For any new development or redevelopment of an existing building, a layout plan shall be submitted for consideration of the Board on application under section 16 of the Ordinance to address concerns on environmental aspects. The layout plan submission should set out the proposed land use(s), and the form, disposition and heights of all buildings (including structures), and provide relevant environmental assessment to ensure the air quality and traffic noise issues could be properly addressed.
- 9.3.7 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the plot ratio, site coverage, GFA and/or building height restrictions may be considered by the Board on application under section 16 of the Ordinance. The criteria given in paragraph 7.6 above would be relevant for assessment for minor relaxation of building height restrictions. Each application will be considered on its individual merits.

9.4 Residential (Group C) (“R(C)”) : Total Area 8.50 ha

- 9.4.1 This zone is intended primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.
- 9.4.2 Because of the existing infrastructural constraints and the objectives to conserve the natural landscape, panoramic sea view as well as to provide greater flexibility without compromising the low-rise, low-density character of the “R(C)” sites, development or redevelopment within this zone is restricted to maximum plot ratio of 0.4 and a maximum building height of 3 storeys including car park as stipulated in the Notes, or the plot ratio and height of the existing building, whichever is the greater. The maximum plot ratio of 0.4 may, upon obtaining permission of the Board on application under section 16 of the Ordinance, be increased to a maximum of 0.75, provided that the noise impact from Castle Peak Road on the proposed development would be mitigated to the satisfaction of the Board. The design of the residential buildings within the “R(C)” zones should, in addition to the need to address the traffic noise impact from Castle Peak Road, blend in well with the surroundings in particular with due regard to tree preservation and fresh air ventilation in the development proposals.

- 9.4.3 This zone includes four sub-areas and their development restrictions are specified below.

“Residential (Group C) 1” (“R(C)1”) : Total Area 0.45 ha

- 9.4.4 Two sites (Lot No. 440 RP in DD 399 and Lots No. 424, 425, 426 and 452 in DD 399) in Ting Kau are under this sub-area. Development or redevelopment within this sub-area is restricted to a maximum plot ratio of 0.75 and a maximum building height of 3 storeys including car park, or the plot ratio and the height of the existing building, whichever is the greater.

“Residential (Group C) 2” (“R(C)2”) : Total Area 0.38 ha

- 9.4.5 Two residential developments in Ting Kau, namely Grand Riviera and Edinburgh Villa, are under this sub-area. Development or redevelopment within this sub-area is subject to the restrictions in paragraph 9.4.2 above. The maximum plot ratio and building height may, upon obtaining permission of the Board on application under section 16 of the Ordinance, be increased to a maximum plot ratio of 1.2 and a maximum building height of 3 storeys above one level of car park provided that the noise impact from Castle Peak Road on the proposed development would be mitigated to the satisfaction of the Board.

“Residential (Group C) 3” (“R(C)3”) : Total Area 0.76 ha

- 9.4.6 A residential development in Ting Kau, namely Deauville, is under this sub-area. Development or redevelopment within this sub-area is subject to the restrictions in paragraph 9.4.2 above. The maximum GFA and building height may, upon obtaining permission of the Board on application under section 16 of the Ordinance, be increased to a maximum GFA of 7,268m²; and a maximum building height of 5 storeys above one level of car park provided that the noise impact from Castle Peak Road on the proposed development would be mitigated to the satisfaction of the Board.

“Residential (Group C) 4” (“R(C)4”) : Total Area 0.066 ha

- 9.4.7 The ex-Kowloon Textile Family Dormitory site in Sham Tseng is under this sub-area. The site is subject to a maximum plot ratio of 0.4 and a maximum building height of 3 storeys including car park. The site is currently occupied by a 6-storey building with a plot ratio of about 3.3 which is considered incompatible with the surrounding rural environment and village house development. In order to maintain a compatible building height profile, future redevelopment to the existing plot ratio and building height is not permitted. However, as long as there is no addition of GFA and/or building height, renovation works to the existing building is allowed.

- 9.4.8 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the plot ratio or GFA or the building height restrictions may be considered by the Board on application under section 16 of the Ordinance. The criteria given in paragraph 7.6 above would be relevant for assessment for minor relaxation of building height restrictions. Each application will be considered on its individual merits.

9.5 Residential (Group D) (“R(D)”) : Total Area 0.72 ha

- 9.5.1 This zone covers the squatter huts and temporary structures at Sham Hong Road in Sham Tseng and is intended primarily for improvement and upgrading of the area 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. Within this zone, redevelopment of existing houses shall not result in a total redevelopment 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 existing building, whichever is the greater.
- 9.5.2 Apart from the intention of residential upgrading, very low-rise and low-density residential development may be permitted on application to the Board. To be in line with the general development intensity of the surrounding areas, residential development shall not result in a total development in excess of a maximum plot ratio of 0.4 and a maximum building height of 2 storeys (6m), or the plot ratio and height of the existing building, whichever is the greater.
- 9.5.3 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of plot ratio and/or building height restrictions may be considered by the Board on application under section 16 of the Ordinance. The criteria given in paragraph 7.6 above would be relevant for assessment for minor relaxation of building height restrictions. Each application for minor relaxation of plot ratio and/or building height restrictions will be considered on its own merits.

9.6 Residential (Group E) (“R(E)”) : Total Area 1.51 ha

- 9.6.1 This zone is intended primarily for phasing out of existing industrial uses through redevelopment (or conversion) for residential use on application to the Board. Whilst existing industrial uses will be tolerated, new industrial developments are not permitted in order to avoid perpetuation of industrial/residential interface problem.
- 9.6.2 The two Garden Co. Ltd. sites (Lots No. 193 and 194 in DD 390) in Sham Tseng are under this zone. Garden Co. Ltd. is the only remaining industrial operation in Sham Tseng. The planning intention of the “R(E)” zone for Garden Co. Ltd. is to phase out the existing industrial activity, removal of the industrial/residential

interface problems in the area, to encourage redevelopment of the existing industrial use for commercial and residential uses in the long run, and to allow more flexibility for redevelopment.

- 9.6.3 Redevelopment of these two sites would need to rely on private initiatives. In the interim, consideration may be given to allowing development of certain 'compatible' non-polluting industrial uses within the sites which would not further degrade the environmental quality of the area upon application to the Board.
- 9.6.4 Within this zone, development or redevelopment is subject to a maximum domestic plot ratio of 5.0 or a maximum non-domestic plot ratio of 9.5 as stipulated in the Notes and building height and NBA restrictions as stipulated on the Plan.
- 9.6.5 A maximum building height of 85mPD is imposed on the site near waterfront (Lot No. 194 in DD 390) having regard to the urban fringe character of the area, the waterfront setting, the stepped height concept and taking into account the permissible plot ratio and the requirement for provision of NBA under the OZP. A 3m-wide NBA along the western site boundary is imposed for improvement of air ventilation in the area.
- 9.6.6 A maximum building height of 100mPD is imposed on the more inland site (Lot No. 193 in DD 390) having regard to the urban fringe character of the area, the stepped height concept and taking into account the permissible plot ratio and the requirement for provision of NBA under the OZP. A 3m-wide NBA along the eastern site boundary is imposed for improvement of air ventilation in the area.
- 9.6.7 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the plot ratio and/or building height restrictions may be considered by the Board on application under section 16 of the Ordinance. The criteria given in paragraph 7.6 above would be relevant for assessment for minor relaxation of building height restrictions. Each application will be considered on its individual merits. Under exceptional circumstances, minor relaxation of the NBA restriction may be considered by the Board on application under section 16 of the Ordinance.

9.7 Village Type Development ("V") : Total Area 13.91 ha

- 9.7.1 The planning intention of this zone is to reflect existing recognised and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. 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.

- 9.7.2 This zone covers Tsing Lung Tau Village, Yuen Tun Village, Pai Min Kok Village, Sham Tseng San Tsuen, Sham Tseng Kau Tsuen, Sham Tseng East Village, Sham Tseng Village, Sham Tseng Commercial New Village, Shu On Terrace, Tsing Fai Tong New Village and Ting Kau Village. Within this zone, a selective range of residential, commercial and GIC uses are permitted as of right on the basis that these uses would serve the needs of villages and yet would not adversely affect the character of these villages.
- 9.7.3 In order to ensure that any future development or redevelopment within these villages will retain the village character, a restriction of a maximum building height of 3 storeys (8.23m), or the height of the existing building, whichever is the greater, is imposed under this zoning.
- 9.7.4 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the height restriction may be considered by the Board on application under section 16 of the Ordinance. Each application will be considered on its individual merits.

9.8 Government, Institution or Community (“G/IC”) : Total Area 10 ha

- 9.8.1 This zone is intended primarily for the provision of GIC facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organisation providing social services to meet community needs, and other institutional establishments. Such developments, particularly for those which are low-rise, serve to provide visual and spatial relief to the densely built-up environment of the Area.
- 9.8.2 A range of GIC facilities has been provided in the Area. They include Sham Tseng Fresh Water Service Reservoir (covered) and Fresh Water Treatment Works, Tai Lam Country Park Sham Tseng Management Centre, Telephone Exchange, Sham Tseng Fire Station Cum Ambulance Depot, two primary schools (Emmanuel Primary School and Sham Tseng Catholic Primary School), a public car park and public utility installations. Two sites are reserved for future GIC developments; one in Hong Kong Garden in Tsing Lung Tau and the other one at Sham Hong Road in Sham Tseng.
- 9.8.3 Developments or redevelopments within the “G/IC” zone are subject to building height restrictions as stipulated on the Plan, or the height of the existing building, whichever is the greater. Minor relaxation of the building height restrictions may be considered by the Board on application under section 16 of the Ordinance. Each

application will be considered on its own merits, taking into account the relevant criteria as set out in paragraph 7.6 above.

- 9.8.4 This zone includes one sub-area and the development restrictions are specified below.

“Government, Institution or Community (1)” (“G/IC(1)”) : Total Area 0.58 ha

- 9.8.5 This zone covers land beneath flyover. Due to the physical constraints and environmental conditions of such land, only selected GIC facilities are permitted in this sub-zone. Some other community and social welfare facilities may be permitted on application to the Board.

- 9.8.6 These areas are located beneath Tuen Mun Road in Sham Tseng and currently occupied by Sham Tseng Tsuen Communal Effluent Improvement Works, temporary fee-paying car parks, refuse collection point and temporary local open space.

9.9 Open Space (“O”) : Total Area 7.83 ha

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

- 9.9.2 This zoning covers seven gazetted beaches, namely Approach Beach, Ting Kau Beach, Lido Beach, Casam Beach, Hoi Mei Beach, Gemini Beaches and Anglers’ Beach. Existing open space includes the Sham Tsz Street Playground adjacent to Garden Co. Ltd. A site at Sham Tseng Kau Tsuen is reserved for the development of open space use.

9.10 Other Specified Uses (“OU”) : Total Area 1.74 ha

- 9.10.1 This zoning is intended primarily for the development of specified uses which include “Tourism and Recreation Related Uses”, “Sewage Treatment Plant”, “Pier” and “Amenity Area”.

“Other Specified Uses” annotated “Tourism and Recreation Related Uses” : Total Area 0.17 ha

- 9.10.2 The existing Airport Core Programme Exhibition Centre near Hoi Mei Beach is under this zone. It is accommodated in an ex-Government quarters building (known as Homi Villa) which was constructed in 1930s. It is one of the few existing examples of local country house of that period which still retains many of its original architectural features such as floor tiles, columns and mouldings. This architecturally significant building is considered worthy of preservation. The exhibition centre is at present managed by the Home Affairs Department and provides a public lookout point of the

Tsing Ma and Ting Kau Bridges along the coast of Tsuen Wan West. Any demolition of, or any addition, alteration and/or modification to any of the existing building requires planning permission from the Board.

“Other Specified Uses” annotated “Sewage Treatment Plant” : Total Area 1.13 ha

9.10.3 Sham Tseng Sewage Treatment Plant is under this zone.

“Other Specified Uses” annotated “Pier”: Total Area 0.19 ha

9.10.4 Four existing piers in Ting Kau, Sham Tseng and Tsing Lung Tau are under this zone.

“Other Specified Uses” annotated “Amenity Area” : Total Area 0.25 ha

9.10.5 A site beneath Tuen Mun Road in Sham Tseng, which is currently occupied by the Sham Tseng Temporary Playground and Sham Tseng Temporary Market and Cooked Food Centre, is under this zone.

9.10.6 Developments or redevelopments within areas annotated “Tourism and Recreation Related Uses”, “Sewage Treatment Plant” and “Pier” are subject to building height restrictions as stipulated on the Plan, or the height of the existing building, whichever is the greater. Minor relaxation of the building height restrictions in terms of number of storeys may be considered by the Board on application under section 16 of the Ordinance. Each application will be considered on its own merits, taking into account the relevant criteria as set out in paragraph 7.6 above.

9.11 Undetermined (“U”) : Total Area 9.43 ha

This zone covers a sloping area to the west of Hong Kong Garden. The use of the area is still subject to further investigation related to the proposed Route 11 (section between Yuen Long and North Lantau).

9.12 Green Belt (“GB”) : Total Area 302.22 ha

9.12.1 The planning intention of this zone is primarily for the conservation of the existing natural environment amid the built-up areas/at the urban fringe, to safeguard it from encroachment by urban type development, and to provide additional outlets for passive recreational activities. There is a general presumption against development within this zone.

9.12.2 This zoning covers mainly steep hill-slopes to the north and the coastal area to the south of the Area. This is to maintain the Area as a well-known and convenient retreat from the crowded urban areas as well as a visually and aesthetically pleasant environment for villa type

development and for leisure recreational activities.

- 9.12.3 Development or redevelopment within this zone will be carefully controlled and each application for development or redevelopment will be considered on its individual merits taking into account relevant Town Planning Board Guidelines.

10. TRANSPORT

- 10.1 The Area is served by an expressway, namely Tuen Mun Road, and a rural road, namely Castle Peak Road. Both the internal and the external transport links are heavily dependent on Castle Peak Road as there is only one vehicular access from Tuen Mun Road to the Area via the Sham Tseng Interchange.
- 10.2 In order to improve Tuen Mun Road to the current expressway standards, the Reconstruction and Improvement of Tuen Mun Road (Eastern Section) was carried out by the Highways Department (HyD) and completed in 2015.
- 10.3 The Area is also traversed by Tsing Long Highway (the Route 3), which is an expressway linking the North Western New Territories with West Kowloon and the Hong Kong Island. The alignment of this Route through Ting Kau has been incorporated onto the Plan.

11. CULTURAL HERITAGE

A site of archaeological interest, namely Ting Kau Kiln, and two graded historical buildings, i.e. Dragon Garden (Grade 2) and Homi Villa (Grade 3) fall within the Area. All the above site of archaeological interest and graded historical buildings/structures are worthy of preservation. The Antiquities Advisory Board (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 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>. Prior consultation with the Antiquities and Monuments Office (AMO) should be made if any works, development, redevelopment or rezoning proposals might affect the above site of archaeological interest, historical buildings/structures, new items pending grading assessment or any other historic buildings/structures with potential heritage value identified, both at grade and underground, and its/their immediate environs. If disturbance to the site of archaeological interest (SAI) is unavoidable, prior agreement with AMO should be made on any measures for the protection of the SAI. For example, whether detailed Archaeological Impact Assessment (AIA) is required. The AIA shall evaluate the archaeological impact imposed by the proposed works. If necessary, an archaeologist shall be engaged to apply for a licence from the Antiquities Authority under the Antiquities and Monuments Ordinance (Cap. 53) for an archaeological field investigation. A proposal of the AIA shall be submitted to AMO for agreement prior to applying for –the licence. Subject to the findings of the AIA, appropriate mitigation measures shall be fully implemented by the project proponent in consultation with AMO.

12. UTILITY SERVICES

- 12.1 There are Sham Tseng Fresh Water Treatment Works and Service Reservoir located at the north of Tuen Mun Road in Tsing Lung Tau.
- 12.2 Sham Tseng Sewage Treatment Plant has been commissioned. Effluent of existing developments at Sham Tseng area is connected to the public sewerage network for treatment and discharge at Sham Tseng Sewage Treatment Plant. Additional pumping stations have already been constructed in Ting Kau and Tsing Lung Tau as part of the Ting Kau and Sham Tseng Sewerage Scheme in order to serve the Area.
- 12.3 It is envisaged that there will be no problem in the supply of electricity and gas to meet the needs of the Area. The existing Sham Tseng Telephone Exchange has capacity to cater the future demand in the Area.

13. IMPLEMENTATION

- 13.1 Although existing uses non-conforming to the statutory zonings are tolerated, any material change of use or any other development or redevelopment must be always permitted in terms of the Plan or, if permission is required, in accordance with the permission granted by the Board. The Board has published a set of guidelines for the interpretation of existing use in the urban and new town areas. Any person who intends to claim an “existing use right” should refer to the guidelines and will need to provide sufficient evidence to support his claim. The enforcement of the zonings mainly rests with the Buildings Department, the Lands Department (LandsD) and various licensing authorities.
- 13.2 This Plan provides a broad land use framework within which more detailed non-statutory plans for the Area are prepared by PlanD. These detailed plans are used as the basis for public works planning and site reservation within the Government. Disposal of sites is undertaken by LandsD. Public works projects are co-ordinated by the Civil Engineering and Development Department in conjunction with relevant client departments and the works departments, such as HyD and the Architectural Services Department. In the course of implementation of the Plan, the Tsuen Wan District Council would also be consulted as appropriate.
- 13.3 Planning applications to the Board will be assessed on individual merits. In general, the Board’s consideration of the planning applications will take into account all relevant planning considerations which may include the departmental outline development plans/layout plans, and the guidelines published by the Board. The outline development plans and layout plans are available for public inspection at PlanD. Guidelines published by the Board are available from the Board’s website, the Secretariat of the Board and the Technical Services Division of PlanD. 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 the relevant District Planning Office of PlanD. Applications

should be supported by such materials as the Board thinks appropriate to enable it to consider them.

**TOWN PLANNING BOARD
NOVEMBER 2023**