

DRAFT TAI HO OUTLINE ZONING PLAN NO. S/I-TH/1

Notes

Schedule of Uses

Explanatory Statement

DRAFT TAI HO OUTLINE ZONING PLAN NO. S/I-TH/1

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

NOTES

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

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

- (8) The following uses or developments are always permitted on land falling within the boundaries of the Plan except (a) where the uses or developments are specified in Column 2 of the Notes of individual zones or (b) as provided in paragraph (9) in relation to areas zoned “Site of Special Scientific Interest”, “Conservation Area” or “Coastal Protection Area”:
- (a) maintenance, repair or demolition of a building;
 - (b) provision, maintenance or repair of plant nursery, amenity planting, open space, rain shelter, refreshment kiosk, footpath, bus/public light bus stop or lay-by, cycle track, taxi rank, public utility pipeline, electricity mast, lamp pole, telephone booth, telecommunications radio base station, automatic teller machine and shrine;
 - (c) maintenance or repair of road, watercourse, nullah, sewer and drain;
 - (d) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities and waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government;
 - (e) rebuilding of New Territories Exempted House;
 - (f) replacement of an existing domestic building, i.e. a domestic building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, by a New Territories Exempted House; and
 - (g) provision, maintenance or repair of a grave of an indigenous New Territories villager or a locally based fisherman and his family members for which permission has been obtained from Government.
- (9) In areas zoned “Site of Special Scientific Interest”, “Conservation Area” or “Coastal Protection Area”,
- (a) the following uses or developments are always permitted:
 - (i) maintenance or repair of plant nursery, amenity planting, sitting out area, rain shelter, refreshment kiosk, road, watercourse, nullah, public utility pipeline, electricity mast, lamp pole, telephone booth, shrine and grave;
 - (ii) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities, waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government; and
 - (iii) provision of amenity planting by Government; and
 - (b) the following uses or developments require permission from the Town Planning Board:
 - provision of plant nursery, amenity planting (other than by Government), sitting

out area, rain shelter, refreshment kiosk, footpath, public utility pipeline, electricity mast, lamp pole, telephone booth and shrine.

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

road and on-street vehicle park.

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

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

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

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

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

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

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

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

DRAFT TAI HO OUTLINE ZONING PLAN NO. S/I-TH/1

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VILLAGE TYPE DEVELOPMENT

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Government 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)# Place of Recreation, Sports or Culture Public Clinic Public Convenience Public Utility Installation # Religious Institution (not elsewhere specified)# Residential Institution # School # Shop and Services Social Welfare Facility # Utility Installation for Private Project

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

- Eating Place
- Library
- School
- Shop and Services

Planning Intention

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

(Please see next page)

VILLAGE TYPE DEVELOPMENT (cont'd)

Remarks

- (a) No new development, or addition, alteration and/or modification to or redevelopment of an existing building (except development or redevelopment to those annotated with #) shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23m) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, whichever is the greater.
- (b) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (c) Any diversion of streams, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

GOVERNMENT, INSTITUTION OR COMMUNITY

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

Planning Intention

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

(Please see next page)

GOVERNMENT, INSTITUTION OR COMMUNITY (cont'd)

Remarks

- (a) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum building height in terms of number of storey(s) as stipulated on the Plan, or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, whichever is the greater.

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

GREEN BELT

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Barbecue Spot Government Use (Police Reporting Centre only) Nature Reserve Nature Trail On-Farm Domestic Structure Picnic Area Public Convenience Tent Camping Ground Wild Animals Protection Area	Animal Boarding Establishment Broadcasting, Television and/or Film Studio Burial Ground Columbarium (within a Religious Institution or extension of existing Columbarium only) Crematorium (within a Religious Institution or extension of existing Crematorium only) Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) Helicopter Landing Pad Holiday Camp House (other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes) Place of Recreation, Sports or Culture Public Utility Installation Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation Religious Institution Residential Institution Rural Committee/Village Office School Service Reservoir Social Welfare Facility Utility Installation for Private Project

Planning Intention

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

(Please see next page)

GREEN BELT (cont'd)

Remarks

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

COASTAL PROTECTION AREA

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use (other than Plant Nursery) Nature Reserve Nature Trail On-Farm Domestic Structure Wild Animals Protection Area	Field Study/Education/Visitor Centre Government Use House (Redevelopment only) Pier Public Convenience Public Utility Installation Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation Tent Camping Ground Utility Installation for Private Project

Planning Intention

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

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

Remarks

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

CONSERVATION AREA

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

Planning Intention

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

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

Remarks

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

SITE OF SPECIAL SCIENTIFIC INTEREST

Column 1
Uses always permitted

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

Wild Animals Protection Area

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

Planning Intention

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

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

Remarks

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

DRAFT TAI HO OUTLINE ZONING PLAN NO. S/I-TH/1

EXPLANATORY STATEMENT

DRAFT TAI HO OUTLINE ZONING PLAN NO. S/I-TH/1

EXPLANATORY STATEMENT

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DRAFT TAI HO OUTLINE ZONING PLAN NO. S/I-TH/1

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

EXPLANATORY STATEMENT

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

1 INTRODUCTION

This Explanatory Statement is intended to assist an understanding of the draft Tai Ho Outline Zoning Plan (OZP) No. S/I-TH/1. It reflects the planning intention and objectives of the Town Planning Board (the Board) for various land-use zonings for the Plan.

2 AUTHORITY FOR THE PLAN AND PROCEDURE

- 2.1 On 17 February 2014, under the power delegated by the Chief Executive (CE), the Secretary for Development directed the Board, under section 3(1)(b) of the Town Planning Ordinance (the Ordinance), to prepare a draft plan designating Tai Ho as a development permission area (DPA).
- 2.2 On 28 March 2014, the draft Tai Ho DPA Plan No. DPA/I-TH/1 was exhibited for public inspection under section 5 of the Ordinance. During the two-month exhibition period, a total of 642 representations were received. During the first three weeks of the publication period, a total of 206 comments were received. After giving consideration to the representations and comments on 19 December 2014, the Board decided not to uphold the representations.
- 2.3 On 24 February 2015, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Tai Ho DPA Plan, which was subsequently renumbered as DPA/I-TH/2. On 20 March 2015, the approved Tai Ho DPA Plan No. DPA/I-TH/2 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.4 On 24 August 2016, under the power delegated by the CE, the Secretary for Development directed the Board, under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the Area.
- 2.5 On 24 March 2017, the draft Tai Ho OZP No. S/I-TH/1 (the Plan) was exhibited for public inspection under section 5 of the Ordinance.

3 OBJECT OF THE PLAN

- 3.1 The object of the Plan is to indicate the broad land use zonings for the area of Tai Ho so that development and redevelopment within the area of Tai Ho can be put under statutory planning control. It also provides the planning framework

for preparing more detailed non-statutory plans which form the basis for public works planning and site reservation for various uses.

- 3.2 The Plan is to illustrate the broad principles of development and planning control only. It is a small-scale plan and the boundaries between land use zones may be subject to minor adjustments as detailed planning and development proceed.

4 NOTES OF THE PLAN

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

5 THE PLANNING SCHEME AREA

- 5.1 The Area covers a total area of about 230 ha including about 32 ha of water body (Tai Ho Wan). It is located to the east of Tung Chung New Town Extension (TCNTE) Area and is separated by the mountain ridges of Por Kai Shan within Lantau North (Extension) Country Park. The Area mainly consists of Tai Ho valley, which comprises Tai Ho Wan, village settlements, agricultural land, the natural vegetated areas including woodland, shrubland, streams etc. and several pieces of isolated vegetated upland areas on the eastern and southern sides, i.e. Tin Liu, Hung Fa Ngan, A Po Long and Wong Kung Tin. The boundary of the Area is shown by a heavy broken line on the Plan.
- 5.2 The Area generally consists of a low lying valley at the centre with hilly terrain descending from the mountain ranges and peaks in the south towards the seashore. According to the Landscape Value Mapping of Hong Kong, the Area including the four isolated vegetated upland areas is classified as having high landscape value.
- 5.3 The Area has rich landscape resources including mature woodland, shrubland, grassland, valley, knolls and streams. There are also natural coastal features such as the estuary and shorelines at Tai Ho Wan. Tai Ho Wan is a major landmark along North Lantau Highway (NLH), which previously was an open coastal bay before the highway was built. The estuary area of Tai Ho Stream consists of mangrove and inter-tidal mudflats. Along the eastern periphery of Tai Ho Wan, coastal vegetations are found. Dominant species include young and scattered patches of *Kandelia obovata* (秋茄樹), abundant young *Cerbera manghas* (海杧果), *Hibiscus tiliaceus* (黃槿) and *Pongamia pinnata* (水黃皮).

- 5.4 Part of Tai Ho Stream is listed as an Ecologically Important Stream and is a designated Site of Special Scientific Interest (SSSI). Tai Ho Stream SSSI is one of the few remaining medium-sized natural streams of its kind in Hong Kong. The stream supports a high diversity of freshwater and brackish-water fishes in Hong Kong with various species recorded, including the rare Largesnout Goby (*Awaous melanocephalus* 黑首阿胡鰕虎魚), the rare Black Sleeper (*Eleotris melanosoma* 黑體塘鱧) and the rare migratory fish Ayu (*Plecoglossus altivelis* 香魚). The Seagrass *Halophila beccarii* (貝克喜鹽草) and Horseshoe crabs (*Carcinoscorpius rotundicauda* 圓尾鬚), a species of conservation importance, have also been recorded in the mudflat within the boundary of Tai Ho Stream SSSI.
- 5.5 Tai Ho also supports the reptile of regional concern Tokay Gecko (*Gekko gekko* 大壁虎), as well as a number of rare/uncommon butterflies including the rare Red Lacewing (*Cethosia biblis* 紅鋸蛺蝶). Two amphibian species of conservation interest, namely Romer's Tree Frog (*Liuixalus romeri* 盧氏小樹蛙) and Short-legged Toad (*Megophrys brachykolos* 短腳角蟾), have also been recorded at Tai Ho.
- 5.6 The area further uphill is a densely vegetated woodland and shrubland on the valley sides extending into Lantau North (Extension) Country Park and Lantau North Country Park beyond the Area. A concrete footpath links NLH to the country parks uphill, going through village settlements at Pak Mong, Ngau Kwu Long and Tai Ho San Tsuen with associated agricultural land.
- 5.7 There are four recognised villages within the Area, namely Pak Mong, Ngau Kwu Long, Tai Ho (also known as Tai Ho San Tsuen) and Wong Kung Tin (also known as Wong Fung Tin). Except Wong Kung Tin at the southernmost part of the Area where no village settlement is found, the villages in the Area consist of typical 3-storey village houses with ancestral halls (Tsz Tong) and a large area of paved area for ancestral worshipping activities.

6 POPULATION

Based on the 2011 Population Census, the population of the Area was estimated by PlanD as about 150 and most of them are living in the recognised villages. It is expected that the planned population of the Area would be about 830.

7 OPPORTUNITIES AND CONSTRAINTS

7.1 Opportunities

7.1.1 Nature and Heritage Conservation

- (a) Located at northshore Lantau and bounded by Lantau North (Extension) Country Park, the Area is one of the country park "enclaves" identified to be protected against incompatible uses. It is also an integral part of the natural landscape comprising a diversity of woodland, shrubland, grassland and streams with high

ecological and conservation value as mentioned in paragraph 5 above. The natural landscape in the Area are worthy of protection as they provide habitats which support the fauna and flora species of conservation importance.

- (b) The Watchtower (Grade 2) at Pak Mong Tsuen, the Watchtower (Grade 3) at Tai Ho and the Entrance Gate (Grade 3) at Pak Mong are graded historic buildings, which are worthy of preservation.

7.1.2 Lantau Development Context

- (a) Development of the Area has been considered under the context of the entire Lantau development. According to the Revised Concept Plan for Lantau (2007), the Area consisting of woodland, grassland/shrubland, streams, coastal mudflat, agricultural field and villages was identified as a conservation area, which aims to conserve the existing natural character and intrinsic landscape value by protecting topographical features from encroachment by adjacent developments. The Area was also identified as a landscape protection area, where new developments should not compromise the existing landscape setting or local environment. Landscaping should be carried out to mitigate the effect of any new development. There is an existing hiking trail as indicated in the Revised Concept Plan that connects to Mui Wo. The proposed Lantau Development Strategy namely “Space for All” submitted to the CE by the Lantau Development Advisory Committee in January 2016 considered the Area as an area falling within the “Predominant Part of Lantau” where to be retained for conservation, leisure, cultural and green tourism with emphasis on protecting sites of conservation value and enhancing their linkages, as well as avoiding large-scale developments in its vicinity as far as possible.
- (b) Given the ecological sensitivity of Tai Ho Stream SSSI and Tai Ho Wan, no large-scale development should be introduced in order not to compromise the rural setting and natural environment. Further developments should be of a low-rise character and give regards to the existing landscape.

7.2 *Constraints*

7.2.1 Ecological Sensitivity

- (a) Within the Area, Tai Ho Stream is one of the few remaining medium-sized natural streams of its kind in Hong Kong that supports a high diversity of freshwater and brackish-water fishes in Hong Kong. It was designated as a SSSI in 1999. The stream should be protected and conserved against developments unless the developments are needed to support the conservation of the features of special scientific interest in the SSSI, to maintain and protect the existing character of the SSSI, or for educational and research purposes.

- (b) The Tai Ho Wan catchment is a well preserved rural coastal landscape in Hong Kong. It is considered of high conservation value due to its high diversity of habitats and species, presence of species of conservation concern and high degree of naturalness, and should be protected against any impact from development.

7.2.2 Cultural Heritage

- (a) Within the Area, there are some archaeological and historical remains of various periods, which are worthy of preservation. There are two sites of archaeological interest in the Area. Pak Mong Site of Archaeological Interest covers Pak Mong village and its immediate surroundings. Abundant archaeological remains of various periods including Neolithic Period, Bronze Age, Qin, Han and Six dynasties and Tang dynasty are found. Tai Ho Site of Archaeological Interest lies on the floodplain amidst Tai Ho San Tsuen, Ngau Kwu Long and Tin Liu. Few coins and blue-and-white ceramic sherds of Qing dynasty are discovered. There are three graded historic buildings/structures found within the Area, i.e. Watchtower (Grade 2) at Pak Mong Tsuen, Watchtower (Grade 3) at Tai Ho and Entrance Gate (Grade 3) at Pak Mong.
- (b) Prior consultation with the Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department (LCSD) should be made if any works, developments, redevelopment or rezoning proposals may affect the above graded historic buildings/structures, new items pending grading assessment, site of archaeological interest and their immediate environs. If disturbance to the site of archaeological interest is unavoidable, a detailed archaeological impact assessment (AIA) shall be conducted to evaluate the archaeological impact imposed by the proposed works if there is any development within the site of archaeological interest. If necessary, a qualified archaeologist shall apply for a licence under the Antiquities and Monuments Ordinance (Cap. 53) for an archaeological investigation. A proposal of the AIA shall be submitted to AMO for agreement prior to applying for the licence. Subject to the findings of the AIA, appropriate mitigation measures shall be fully implemented by the project proponent in consultation with AMO of LCSD.

7.2.3 Civil Aviation

- (a) Given its proximity to the Hong Kong International Airport (HKIA), the Area is subject to Airport Height Restriction (AHR). No part of any building or buildings or other structure or equipment erected or to be erected within the Area, or any addition or fitting to such building or buildings or structure or equipment shall exceed the "restricted height" prescribed under the Hong Kong Airport (Control of Obstructions) Ordinance (Cap. 301), any regulation or order made thereunder and any amending legislation.

- (b) Besides, the Area is beneath a helicopter holding area “H5” over “Pak Mong”, which is an essential helicopter holding point for Air Traffic Control (ATC) to separate local helicopter traffic from international traffic on departure and arrival within the Air Traffic Zone. The use of helicopter holding area is subject to ATC instructions for the purpose to enhance flight safety as well as to allow effective flow of helicopter traffic movements to and from the Government Flying Service (GFS) base or Business Aviation Centre located at HKIA.
- (c) The helicopter noise arising from the frequent use of GFS helicopters flyover “Pak Mong” will present an adverse impact on any residential development within the Area. More importantly, any development within the “Pak Mong” area will adversely affect GFS flight operations, particularly for emergency flights during bad weather times. Any future development or redevelopment within the Area should take into account this constraint.

7.2.4 Accessibility

- (a) Currently, Cheung Tung Road is the only external vehicular access to Tai Ho. The slip road linking Cheung Tung Road and the Tai Ho Interchange proposed under the TCNTE project would improve the connectivity between TCNTE area and the Area. Within the Area, no proper vehicular access is available except for the footpath connecting Pak Mong and Ngau Kwu Long. Other forms of connection are through hiking trails/footpaths linking the Area with Mui Wo, Tung Chung, Sunny Bay and Discovery Bay.
- (b) Marine access to the Area by provision of public ferry service is also considered not feasible because the depth of water at the pier at NLH and its approach area is about 1m to 2m, which can only be used by vessels with shallow draft.

7.2.5 Noise and Vehicle Emissions

Although the Area falls outside the coverage of HKIA Noise Exposure Forecast 25 contour under the current two-runway and three-runway system in the future, the Area falls within the helicopter holding area above Pak Mong and is in proximity to HKIA, which contributes to noise exposure to the Area. Development within the Area is also constrained by adverse traffic noise and vehicle emissions from NLH. The latest infrastructure proposals around North Lantau such as Tuen Mun-Chek Lap Kok Link would likely increase the traffic flow of NLH which in turn may adversely affect the environment of the Area.

7.2.6 Risk Hazard

The high pressure gas pipeline and offtake & pigging station located to the northeast of the Area are classified as Notifiable Gas Installations (NGIs) under the Gas Safety Ordinance (Cap. 51), and its construction

and use are required to undergo an approval system. The northeastern part of the Area is within 200m of these NGIs. For any proposed development in the vicinity (i.e. within 200m) of these NGIs, the increase in population brought by these developments would be a concern and thus a risk assessment would be required from the project proponent to assess the potential risks associated with these NGIs.

7.2.7 Infrastructure and Utility Services

- (a) Currently, drainage system is only provided along NLH and Cheung Tung Road. If any development or redevelopment within the Area which may affect the drainage system or change the drainage characteristic, detailed drainage study would be required and suitable mitigation measures should be provided, if necessary, as part of the development or redevelopment.
- (b) There is no existing or planned public sewer serving the Area. For any development or redevelopment that will lead to an increase in population or number of visitors to the Area, the project proponent should provide additional sewage treatment facility as an integral part of the development. Should septic tank and soakaway (STS) system be proposed, the design and construction of the STS system would need to comply with relevant standards, regulations and requirements, including the Environmental Protection Department (EPD)'s Practice Note for Professional Persons (ProPECC) PN 5/93 "Drainage Plans subject to comment by the EPD".
- (c) Fresh water supply is available to the existing villages in the Area. The water supply system is however of limited capacity. If any major development is envisaged in this Area, sufficient lead time should be allowed for upgrading the water supply system as necessary.

7.2.8 Geotechnical Safety

- (a) The Area and its vicinity comprise hilly natural terrain with past natural terrain landslide records. Some of the land near Tai Ho San Tsuen, Ngau Kwu Long and Pak Mong are overlooked by steep natural terrain. For any development or redevelopment within these areas, a natural terrain hazard study (NTHS) would be required and suitable mitigation measures, if found necessary, should be provided as part of the development or redevelopment.
- (b) There are about 60 registered man-made slopes and retaining walls located within the Area and the stability of these slope features is mostly unknown. If these slope features would affect or be affected by any development and redevelopment, geotechnical investigations and studies including the details of any permanent geotechnical works should be submitted to the Geotechnical Engineering Office of the Civil Engineering and Development Department for checking in accordance with the

principle laid down in the Environment, Transport and Works Bureau Technical Circular (Works) No. 29/2002.

7.2.9 Burial Grounds

There are seven permitted burial grounds in the Area for indigenous villagers and they are not suitable for any development. They are located to the southeast of Pak Mong, southwest of the hillside near Tai Ho Wan, south of the Luk Hop Yuen Temple, and east of Tai Ho San Tsuen.

8 GENERAL PLANNING INTENTION

The general planning intention for the Area is to conserve the Area's outstanding natural landscape with unique scientific and ecological values in safeguarding the natural habitat and natural system of the wider area and to preserve historical artifacts, local culture and traditions of the villages. Due consideration should be given to the conservation of the ecologically and environmentally sensitive areas, such as Tai Ho Stream SSSI, when development in or near the Area is proposed. Small House development in recognised villages will be consolidated at suitable locations to preserve the rural character of the Area.

9 LAND USE ZONINGS

9.1 "Village Type Development" ("V"): Total Area 6.54 ha

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

9.1.2 Except Wong Kung Tin where there is no existing village settlement, the "V" zones designated for the three recognised villages, namely Pak Mong, Ngau Kwu Long and Tai Ho, are drawn up having regard to the 'village environs', the local topography, the existing settlement pattern, the outstanding Small House applications and demand forecast. Areas of difficult terrain, potential natural terrain hazards, dense vegetation, conservation and ecological value, burial grounds and the buffer area for the stream courses are excluded.

9.1.3 Except for those specified, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a

maximum building height of 3 storeys (8.23m) or the height of the building which was in existence on the date of first publication in the Gazette of the notice of the draft DPA plan, whichever is the greater. To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height restriction may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

- 9.1.4 Some areas are overlooked by steep natural hillsides and may be affected by potential natural terrain landslide hazards. For future development in these areas, the developer(s) may be required to carry out NTHS to assess the scale of hazards and provide suitable hazard mitigation measures, if found necessary, as part of the development.
- 9.1.5 Some areas are within or in vicinity of man-made slopes and retaining walls and the areas may affect or be affected by these slopes and retaining walls. For future development/redevelopment in these areas, the developer(s) may be required to carry out geotechnical assessment to assess if the development/redevelopment would affect or be affected by man-made slopes and retaining walls and provide upgrading works, if found necessary, as part of the development/redevelopment.
- 9.1.6 As diversion of streams may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such works and related activities except public works co-ordinated or implemented by the Government, and maintenance, repair or rebuilding works.
- 9.1.7 There is no existing or planned public sewer for the Area, and at present, each house is typically served by its own on-site STS system. In accordance with the Environment, Transport and Works Bureau's Technical Circular (Works) No. 5/2005, under the current administrative practice, for development proposals/submissions that may affect natural streams/rivers, the approving/processing authorities at various stages of the development should consult and collate comments from the Director of Agriculture, Fisheries and Conservation and relevant authorities and incorporate relevant comments/advice as conditions of approval wherever possible. For the protection of the water quality of the streams and sea, the design and construction of on-site STS system for any development proposals/submissions also need to comply with relevant standards, regulations and requirements, including EPD's ProPECC Practice Note PN 5/93. Accordingly, the Lands Department (LandsD) when processing Small House grant and applications in close proximity to existing stream courses should consult concerned departments including EPD, the Agriculture, Fisheries and Conservation Department and PlanD to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.
- 9.1.8 The Watchtower (Grade 2) at Pak Mong Tsuen, the Watchtower (Grade 3) at Tai Ho and the Entrance Gate (Grade 3) at Pak Mong are graded historic building/structure worthy of preservation. Prior consultation with AMO of LCSD should be made if any works, developments,

redevelopment or rezoning proposals may affect the above graded historic buildings/structures and their/its immediate environs.

9.2 “Government, Institution or Community” (“G/IC”): Total Area 0.31 ha

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

9.2.2 Existing GIC uses in this zone include two public toilets located at Pak Mong and Ngau Kwu Long, and Luk Hop Yuen Temple on the eastern side of Tai Ho Wan. The abandoned school site in Pak Mong is zoned “G/IC” to reserve for future GIC uses.

9.2.3 To preserve the rural and low-rise character of the Area, development/redevelopment within this zone should be restricted to the maximum building height as stipulated on the Plan or the height of building which was in existence on the date of first publication in the Gazette of the notice of the draft DPA Plan, whichever is greater. To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height restriction may be considered by the Board through the planning permission system. Each proposal will be considered on its individual merits.

9.3 “Green Belt” (“GB”): Total Area 166.70 ha

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

9.3.2 The “GB” zone mainly covers agricultural land, hillslopes, natural vegetations and small streams in Tai Ho valley, Hung Fa Ngan, A Po Long and Wong Kung Tin. Some active cultivation activities are found in the agricultural land at Pak Mong, Ngau Kwu Long and Tai Ho villages. Wong Kung Tin, where no village settlement is found, is also included in this zone.

9.3.3 There are several permitted burial grounds, which are intended for burial places of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities in the permitted burial grounds within this zone are generally tolerated. The District Office (DO) is delegated with authority under the Public Health and Municipal Services Ordinance (Cap 132) to issue the burial certificates within the boundaries of permitted burial grounds. Burial activities within permitted burial grounds are also governed by separate conditions stipulated by LandsD, the Food and Environmental Hygiene Department and the Water Supplies Department. Any burial activities should be confined within the designated grounds as far as practicable.

9.3.4 As diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and the natural environment, permission from the Board is required for such works and related activities except public works co-ordinated or implemented by the Government, and maintenance, repair or rebuilding works.

9.4 “Coastal Protection Area” (“CPA”): Total Area 4.20 ha

9.4.1 The planning intention of this zone is to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.

9.4.2 This zone covers the coastal areas along Tai Ho Wan which primarily consist of coastal vegetation, tidal mudflats, rocky boulder coasts and part of the mangrove on the western side of Tai Ho Stream’s estuary.

9.4.3 New residential development is not permitted under this zone. Redevelopment of existing house may be permitted on application to the Board. The redevelopment including alteration and/or modification of an existing house shall not result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication of the draft DPA Plan.

9.4.4 In view of the conservation value of the area within this zone, permission from the Board is required for diversion of streams, filling of land/pond or excavation of land that may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, except public works co-ordinated or implemented by the Government, and maintenance, repair or rebuilding works.

9.5 “Conservation Area” (“CA”): Total Area 15.41 ha

9.5.1 This zone is intended to protect and retain the existing natural landscape, ecological or topographical features of the Area for conservation, educational and research purposes and to separate sensitive natural environment such as SSSI or Country Park from the adverse effects of development. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the Area or are essential infrastructure projects with overriding public interest may be permitted.

9.5.2 This zone covers the buffer areas on both sides of Tai Ho Stream SSSI in order to protect the aquatic habitats.

- 9.5.3 This zone also comprises a patch of mature woodland at the south of Pak Mong village with the intention of preserving the woodland with its existing natural character from further disturbance.
- 9.5.4 New residential development is not permitted within this zone. Redevelopment of existing house may be permitted on application to the Board. The redevelopment including alteration and/or modification of existing house shall not result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication of the draft DPA Plan.
- 9.5.5 Works relating to diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on adjacent areas and the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activities except public works co-ordinated or implemented by the Government, and maintenance, repair or rebuilding works.
- 9.6 “Site of Special Scientific Interest” (“SSSI”): Total Area 4.64 ha
- 9.6.1 The planning intention of this zone is to conserve and protect the features of special scientific interest such as rare or particular species of fauna and flora and their habitats which are designated as SSSI. It intends to deter human activities or developments within the SSSI. There is a general presumption against development in this zone. No developments are permitted unless they are needed to support the conservation of the features of special scientific interest in the SSSI, to maintain and protect the existing character of the SSSI, or for educational and research purposes.
- 9.6.2 This zone covers the designated Tai Ho Stream SSSI. The SSSI, having an area of about 5 ha, covers a natural stream (Tai Ho Stream) with several tributaries running from upland to the lowland estuary. Tai Ho Stream is a medium-sized natural stream supporting a high diversity of freshwater and brackish-water fishes in Hong Kong, including the rare Largesnout Goby (*Awaous melanocephalus* 黑首阿胡鰕虎魚) and the rare Black Sleeper (*Eleotris melanosoma* 黑體塘鱧), and is the only known location of the rare migratory fish Ayu (*Plecoglossus altivelis* 香魚) in the territory. At the estuary of the stream, horseshoe crabs (*Carcinoscorpius rotundicauda* 圓尾鬚), a species of conservation importance, have also been recorded in the mudflat.
- 9.6.3 Diversion of streams, filling of land/pond or excavation of land may cause adverse impacts on the adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activities.

10 COMMUNICATIONS

- 10.1 There is no direct access to the Area from NLH. The Area is accessible via Cheung Tung Road, which is a single two-way road that links up NLH at Sunny

Bay and Tung Chung New Town. A slip road linking Cheung Tung Road and the proposed Tai Ho Interchange is proposed under the TCNTE project to improve the connectivity between the TCNTE area and the Area. The implementation is subject to review in the detailed design stage of TCNTE. There is a public pier located to the northwest of Tai Ho Wan across NLH, which provides marine access to the Area. However, there is no public ferry service available.

- 10.2 Currently, the available public transport to the Area are by Lantau taxis, Urban taxis or by the franchised bus service No. 36 which provides several departures daily each way (with additional services on Sunday and public holidays) between Siu Ho Wan and Tung Chung New Town (with stop at Pak Mong).
- 10.3 Regarding internal vehicular access within the Area, there is only a section of road branching off Cheung Tung Road which ends in a cul-de-sac at the entrance of Pak Mong. The villages in the Area are connected with concrete-paved footpaths. Other forms of connection are through hiking trails/footpaths linking villages within the Area and externally with Mui Wo, Tung Chung, Sunny Bay and Discovery Bay.

11 UTILITY SERVICES

- 11.1 No drainage system is provided at the inland area of Tai Ho. There is no existing and planned public sewer for the Area.
- 11.2 The Area is not within any water gathering ground. Fresh water supply is available to the existing clusters of village houses at Pak Mong, Ngau Kwu Long, Tin Liu and Tai Ho San Tsuen but it is of limited capacity. There is no water supply to Hung Fa Ngan, A Po Long and Wong Kung Tin. There is also no salt water supply system in the Area.
- 11.3 Telephone network and electricity supply are available in the Area. At present, there is no gas supply to the Area. However, there are several high and intermediate pressure town gas transmission pipelines running along NLH and a town gas offtake and pigging station (Tai Ho) to the northeast of Tai Ho Wan (outside the Area) serving Tung Chung New Town and its vicinity.

12 CULTURAL HERITAGE

- 12.1 Within the Area, there are some archaeological and historical remains of various periods, which are worthy of preservation. There are two sites of archaeological interest in the Area. Pak Mong Site of Archaeological Interest covers Pak Mong village and its immediate surroundings. Abundant archaeological remains of various periods including Neolithic Period, Bronze Age, Qin, Han and Six dynasties and Tang dynasty are found. Tai Ho Site of Archaeological Interest lies on the floodplain amidst Tai Ho San Tsuen, Ngau Kwu Long and Tin Liu. Few coins and blue-and-white ceramic sherds of Qing dynasty are discovered. There are three graded historic buildings/structures found within the Area, i.e. Watchtower (Grade 2) at Pak Mong Tsuen, Watchtower (Grade 3) at Tai Ho and Entrance Gate (Grade 3) at Pak Mong.

- 12.2 The Antiquities Advisory Board (AAB) has 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>.
- 12.3 Prior consultation with AMO of LCSD should be made if any works, developments, redevelopment or rezoning proposals may affect the above graded historic buildings/structures, new items pending grading assessment, site of archaeological interest and their immediate environs. If disturbance to the site of archaeological interest is unavoidable, a detailed AIA shall be conducted to evaluate the archaeological impact imposed by the proposed works if there is any development within the site of archaeological interest. If necessary, a qualified archaeologist shall apply for a licence under the Antiquities and Monuments Ordinance (Cap. 53) for an archaeological investigation. A proposal of the AIA shall be submitted to AMO for agreement prior to applying for the licence. Subject to the findings of the AIA, appropriate mitigation measures shall be fully implemented by the project proponent in consultation with AMO of LCSD.

13 IMPLEMENTATION

- 13.1 The Plan provides a broad land use framework for development control and implementation of planning proposals for the Area. More detailed plans will be prepared as a basis for public works planning and private developments.
- 13.2 At present, there is no overall programme for the improvement or provision of infrastructure within the Area. The implementation process will be gradual and may stretch over a long period of time depending on the availability of resources. However, project works for maintenance and repair of existing utilities would be carried out within the Area by the Islands DO. Upgrading of the water supply system will be required if future developments are proposed in the Area.
- 13.3 For developments in the vicinity of NGIs which require a risk assessment, the project proponent should maintain liaison/coordination with the Hong Kong and China Gas Company Limited in respect of the exact location of existing and planned gas pipes routes/gas installations in the vicinity of the proposed works area and the minimum set back distance away from the gas pipelines if any excavation works is required during the design and construction stages of the development. The project proponent should also note the requirements of the Electrical and Mechanical Services Department's "Code of Practice on Avoiding Danger from Gas Pipes".
- 13.4 Any development planning in the Area shall reserve sufficient land for necessity of drainage improvement in future. If any development or redevelopment within the Area which may affect the drainage system or change the drainage characteristic, drainage studies including the details of the affected drainage system and any mitigation measures should be submitted to the Drainage Services Department (DSD) for checking in accordance with the principle laid down in the Environment, Transport and Works Bureau Technical Circular (Works) Nos. 14/2004, 5/2005, 2/2006 and DSD Advice Note No. 1.

- 13.5 There is no existing or planned public sewer serving the area. On-site discharge systems, e.g. septic tanks and soakaway pits, are generally used in the villages. Any increase in population, number of visitors to the Area or further recreational/residential/commercial/institutional developments would require additional facilities to be provided as an integral part of the development. The design and construction of the on-site STS need to comply with relevant standards, regulations and requirements, including EPD's ProPECC PN 5/93, for the protection of the water quality and the natural streams flowing through the Area.
- 13.6 Notwithstanding the above, minor improvement works, e.g. access improvements, utility services installation and public works projects will be implemented through the Public Works Programme and the Rural Public Works Programme subject to priority and resource availability. Private developments will be effected principally through private sector initiatives in accordance with the zoned uses indicated on the Plan, provided that their proposals meet Government requirements.

14 PLANNING CONTROL

- 14.1 The types of permitted developments and uses on land within the Area are listed in the Notes to the Plan. Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted developments and uses within the same zone are always permitted and no separate permission is required.
- 14.2 Uses of land or building which were in existence immediately before the first publication in the Gazette of the notice of the draft DPA Plan and which are not in compliance with the terms of the Plan may have adverse impact on the environment, drainage and traffic of the Area. Although no action is required to make such use conform to this Plan, any material change of such use or any other development (except minor alteration and/or modification to the development of the land or building in respect of such use which is always permitted) must be always permitted in terms of the Plan or, if permission is required, in accordance with a permission granted by the Board. The Board will consider these applications on their individual merits. Those alteration and/or modification works which may lead to an environmental improvement or upgrading to the Area may be considered favourably by the Board.
- 14.3 Planning applications to the Board will be assessed on individual merits. In general, the Board, in considering the planning applications, will take into account all relevant planning considerations which may include the guidelines published by the Board. Application forms and Guidance Notes for planning applications can be downloaded from the Board's website and are available from the Secretariat of the Board, the Technical Services Division and relevant District Planning Office of PlanD. Applications should be supported by such materials as the Board thinks appropriate to enable it to consider the applications.
- 14.4 Any development, other than those referred to in paragraph 14.1 above or in conformity with this Plan or with the permission of the Board, undertaken or

continued on or after 28 March 2014 on land included in a Plan of the Tai Ho DPA may be subject to enforcement proceedings under the Ordinance. Any diversion of streams, filling of land/pond or excavation of land in relevant zones on or after the exhibition of the specific plan referred to in the Notes of the relevant zones without permission from the Board may also be subject to enforcement proceedings.

**TOWN PLANNING BOARD
MARCH 2017**