

# LEGISLATIVE COUNCIL BRIEF

Town Planning Ordinance  
(Chapter 131)

## APPROVED FU TEI AU AND SHA LING OUTLINE ZONING PLAN (OZP) NO. S/NE-FTA/18

### INTRODUCTION

At the meeting of the Executive Council on 9 April 2024, the Council **ADVISED** and the Chief Executive **ORDERED** that the draft Fu Tei Au and Sha Ling Outline Zoning Plan (OZP) No. S/NE-FTA/17A, should be approved under section 9(1)(a) of the Town Planning Ordinance (the Ordinance). The plan is now A renumbered as S/NE-FTA/18 at **Annex A**.

### AMENDMENTS TO THE APPROVED FU TEI AU AND SHA LING OZP NO. S/NE-FTA/16 SINCE ITS REFERENCE BACK

2. Since the reference back of the approved Fu Tei Au and Sha Ling OZP No. S/NE-FTA/16 for amendment on 8 November 2022, the draft Fu Tei Au and Sha Ling OZP No. S/NE-FTA/17 (the draft OZP) incorporating the amendments was exhibited on 28 April 2023 for public inspection under section 5 of the Ordinance as in force immediately before 1 September 2023. The amendments incorporated in the draft OZP include the rezoning of:

#### Proposed Public Housing Development

- (a) a site at Wa Shan, Sheung Shui from “Agriculture” (“AGR”) to “Residential (Group A)” (“R(A)”) with a maximum plot ratio (PR) of 6.7 and a maximum building height (BH) of 170 metres above Principal Datum (mPD) for the proposed public housing development, providing about 4,200 flats (**Amendment Item A1**);
- (b) three pieces of land at Wa Shan, Sheung Shui from “Green Belt” to “R(A)” with a maximum PR of 6.7 and a maximum BH of 170 mPD for the proposed public housing development (**Amendment Item A2**); and

#### Re-provisioning of Government Facilities

- (c) a piece of land to the west of the public housing site at Wa Shan, Sheung Shui from “AGR” to “Government, Institution or Community” for re-provisioning of the refuse collection point and public toilet to be affected by the proposed public housing development (**Amendment Item B**).

3. Corresponding amendments in relation to the rezonings above and technical amendments were also made to the Notes of the draft OZP. The Explanatory Statement (ES) of the draft OZP, which reflects the planning intentions and objectives of the Town Planning Board (the Board) for various land use zonings of the Plan, was also amended accordingly.

## **REPRESENTATIONS AND COMMENTS ON REPRESENTATIONS**

4. During the exhibition of the draft OZP, **three** valid representations were received. The representations were made available for inspection and for comment on 7 July 2023 and **one** valid comment on the representations (comment) was received. The representations and comment were considered by the Board at its meeting held on 3 November 2023.

### **Adverse Representations/Representation Providing Views (3)**

5. The representations submitted by 石湖新村（河北段）街坊會 (**R1**) and one individual (**R2**) opposed Amendment Items A1 and A2 while another individual (**R3**) provided adverse views on Amendment Items A1 and A2. The major grounds/views of the representations are that the proposed public housing development (i) would generate adverse traffic and drainage impacts; (ii) would be subject to noise and air pollution from the nearby Fanling Bypass, which would result in an increasing demand for air-conditioning and energy consumption; (iii) involved undesirable tree planting; (iv) would induce adverse visual, air ventilation, ecological, geotechnical and “fung shui” impacts; (v) had reserved a considerable area for roads and emergency vehicular access, which demonstrated an inefficient use of space; and (vi) was close to San Wai/Tai Ling Firing Range that would affect the operation of the firing range. Moreover, in view of an ageing population, gross floor area reserved for the provision of social welfare facilities was not sufficient and elderly-friendly units should be mandatory for all public housing developments. In addition, the villagers of Shek Wu San Tsuen were not consulted on the proposed public housing development.

### **Comment on the Representations (1)**

6. **One** comment submitted by an individual (**C1**), who was also a representer (**R3**), expressed that the need for additional public housing supply was not justified taken into account the severe issues in public housing abuse, trend of shrinking population, economic downturn and decline of housing market.

## **The Board’s Decision**

7. After giving consideration to the representations and comment, the Board **decided not to uphold R1 to R3**; and agreed that the draft OZP **should not be amended** to meet the representations for the following reasons:

- (a) the representation site (Amendment Items A1 and A2 as a whole) was one of the priority brownfield clusters identified by the Government with high development potential for public housing development. An engineering feasibility study comprising technical assessments on different aspects such as traffic, environmental, ecological, geotechnical, drainage, landscape, visual and air ventilation, etc. had been conducted and confirmed that there was no insurmountable technical problems and no significant adverse impact induced by the development with the implementation of appropriate mitigation/improvement measures. Further enhancement of development layout and design of the proposed development would also be conducted taking account of the noise mitigation measures along Fanling Bypass (Western Section). It was considered suitable to zone the sites as “R(A)” for increasing housing supply (**R1** to **R3**);
- (b) a multi-pronged approach had been adopted to identify suitable sites or premises in different types of development projects for the provision of more social welfare services so as to meet the ongoing welfare service needs of the district. Due regard was given to various factors for the provision of welfare facilities in the vicinity. The current provision of social welfare facilities in the proposed public housing development was agreed by and would be closely monitored by the Social Welfare Department (**R3**);
- (c) the proposed development was located about 500m away from San Wai/Tai Ling Firing Range, and hence it was not anticipated to have any negative impact on the operation of the firing range (**R1**); and
- (d) the statutory and administrative procedures in consulting the public on the proposed amendments had been duly followed. The exhibition of the draft OZP and provisions of submission of representations and comment formed part of the statutory consultation process under the Ordinance (**R1**).

## **IMPLICATIONS OF THE PROPOSAL**

8. Approval of the draft Fu Tei Au and Sha Ling OZP No. S/NE-FTA/17A itself has no civil service implications and its economic, financial, environmental, sustainability, family and gender implications are set out below.

9. Regarding economic implications, Amendment Items A1 and A2 will facilitate the proposed public housing development which can provide about 4,200 flats upon completion to help meet the housing demand in Hong Kong.

10. Regarding financial implications, funding for capital cost for the proposed public housing development and re-provisioning of Government facilities and the capital costs of the social welfare facilities to be provided in the proposed public

housing development under Items A1 and A2 will be sought in accordance with the established mechanism.

11. As far as environmental implications are concerned, various technical assessments (including a preliminary environmental review for the proposed public housing development) have been conducted to assess the potential environmental impacts of the proposed amendments. No insurmountable environmental impact associated with the proposed amendments is anticipated with the implementation of appropriate mitigation measures.

12. As far as sustainability implications are concerned, the proposed developments could contribute to the better utilisation of land resources for meeting housing and social needs. The proposed developments may bring about environmental impacts on the local area. Suitable mitigation measures should be implemented to alleviate any such possible impacts.

13. On family implications, the increase in housing supply resulting from the proposed developments under Amendment Items A1 and A2 could help improve the living environment of some families and provide stable living conditions, and in turn foster greater family harmony. The social welfare facilities within the proposed public housing development under Amendment Items A1 and A2 would provide services and support to families with members in need of special care, and also generate more job opportunities and options, which would help individuals to build up family assets.

14. On gender implications, the proposed provision of social welfare facilities within the proposed public housing development under Amendment Items A1 and A2, 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**

15. The North District Council (NDC) and two relevant rural committees (i.e. Sheung Shui District Rural Committee (SSDRC) and Fanling District Rural Committee (FDRC)), when consulted in December 2022 and January 2023 respectively, were supportive of the proposed public housing development. Nonetheless, there were concerns on the potential traffic issues and displacement of the existing residents and businesses on the land.

16. NDC, SSDRC and FDRC were notified that members of the public could submit representations on the amendments in writing to the Board during the statutory exhibition period of the draft OZP. No representation from members of NDC, SSDRC and FDRC was received.

## **PUBLICITY**

17. The approved Fu Tei Au and Sha Ling OZP No. S/NE-FTA/18 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 Fu Tei Au and Sha Ling OZP No. S/NE-FTA/18 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**.  
A-I An ES in respect of the approved Fu Tei Au and Sha Ling  
A-II OZP No. S/NE-FTA/18 is at **Enclosure II to Annex A**.

## **ENQUIRY**

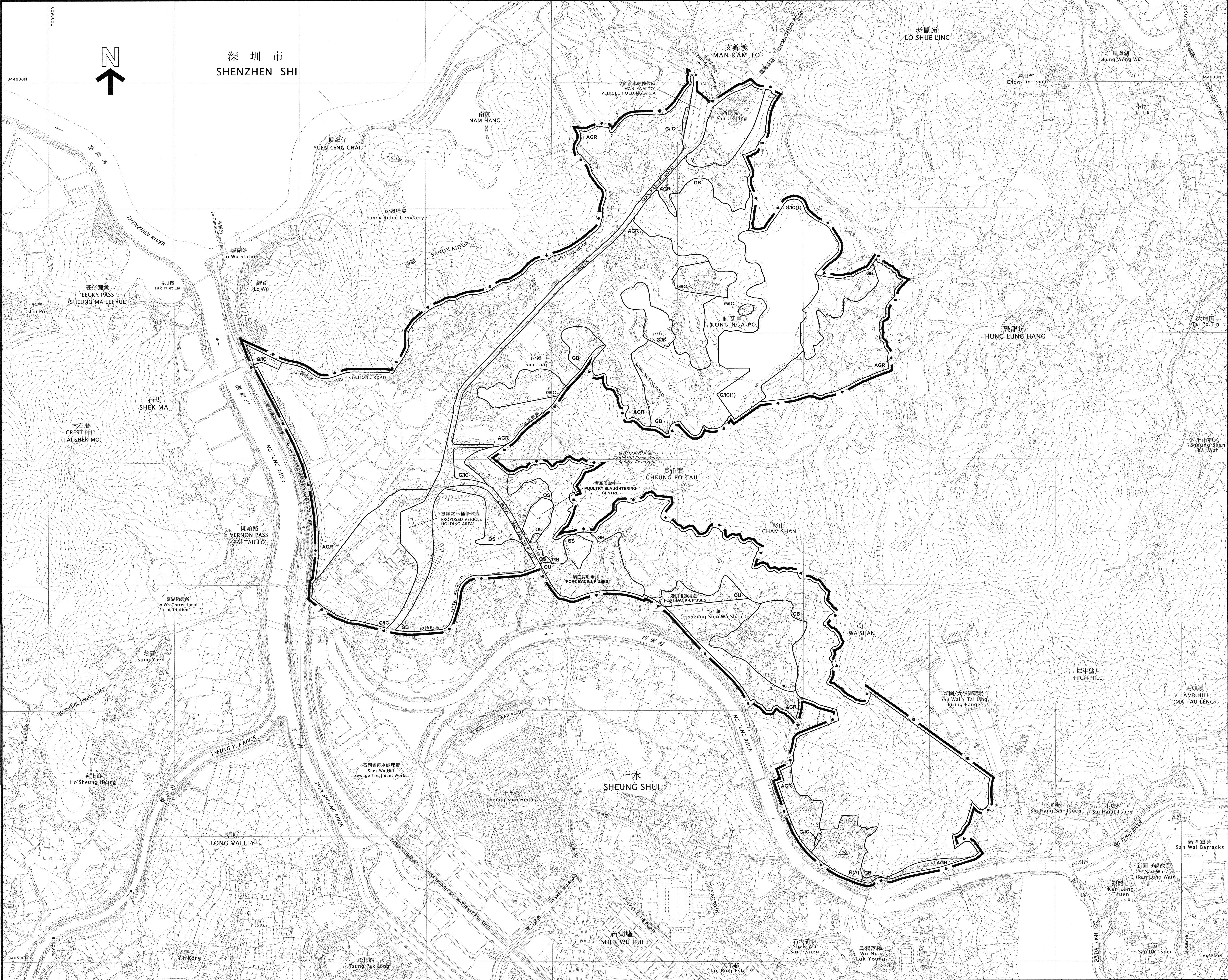
19. Any enquiry on this brief can be addressed to Ms Caroline Tang, Assistant Director of Planning/Board, Planning Department (Tel. No. 2231 4606).

**PLANNING DEPARTMENT**  
**APRIL 2024**

**APPROVED FU TEI AU AND SHA LING  
OUTLINE ZONING PLAN (OZP) NO. S/NE-FTA/18**

- Annex A - Approved Fu Tei Au and Sha Ling Outline Zoning Plan (OZP)  
No. S/NE-FTA/18
- Enclosure I : Notes of the Approved Fu Tei Au and Sha Ling  
OZP No. S/NE-FTA/18
- Enclosure II : Explanatory Statement of the Approved Fu Tei  
Au and Sha Ling OZP No. S/NE-FTA/18





圖例  
NOTATION

ZONES		地帶
RESIDENTIAL (GROUP A)	R(A)	住宅（甲類）
VILLAGE TYPE DEVELOPMENT	V	鄉村式發展
OPEN STORAGE	OS	露天貯物
GOVERNMENT, INSTITUTION OR COMMUNITY	G/C	政府、機構或社區
OTHER SPECIFIED USES	OU	其他指定用途
AGRICULTURE	AGR	農業
GREEN BELT	GB	綠化地帶
COMMUNICATIONS		交通
MAJOR ROAD AND JUNCTION		主要道路及路口
MISCELLANEOUS		其他
BOUNDARY OF PLANNING SCHEME		規劃範圍界線
MAXIMUM BUILDING HEIGHT (IN METRES ABOVE PRINCIPAL DATUM)		最高建築物高度 (在主水平基準上若干米)

土地用途及面積一覽表  
SCHEDULE OF USES AND AREAS

USES	大約面積及百分率 APPROXIMATE AREA & %		用途
	公頃 HECTARES	% 百分率	
RESIDENTIAL (GROUP A)	3.72	1.17	住宅（甲類）
VILLAGE TYPE DEVELOPMENT	12.65	3.98	鄉村式發展
OPEN STORAGE	7.19	2.26	露天貯物
GOVERNMENT, INSTITUTION OR COMMUNITY	42.88	13.50	政府、機構或社區
OTHER SPECIFIED USES	8.78	2.76	其他指定用途
AGRICULTURE	125.90	39.63	農業
GREEN BELT	105.49	33.21	綠化地帶
MAJOR ROAD ETC.	11.08	3.49	主要道路等
TOTAL PLANNING SCHEME AREA	317.69	100.00	規劃範圍總面積

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

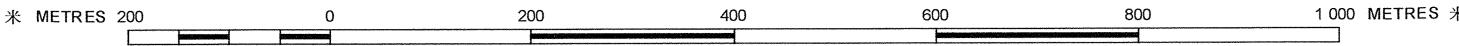
行政長官會同行政會議於2024年4月9日 根據城市  
規劃條例第9(1)(a)條核准的圖則  
APPROVED BY THE CHIEF EXECUTIVE IN COUNCIL UNDER  
SECTION 9(1)(a) OF THE TOWN PLANNING ORDINANCE ON  
9 APRIL 2024

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虎地坳及沙嶺分區計劃大綱圖  
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD  
FU TEI AU & SHA LING - 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/NE-FTA/18





**APPROVED FU TEI AU AND SHA LING  
OUTLINE ZONING PLAN NO. S/NE-FTA/18**

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

**NOTES**

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

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



- (7) Road junctions, alignment of roads, and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.
- (8) The following uses or developments are always permitted on land falling within the boundaries of the Plan except where the uses or developments are specified in Column 2 of the Notes of individual zones:
- (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 interim development permission area plan, by a New Territories Exempted House; and
  - (g) provision, maintenance or repair of a grave of an indigenous New Territories villager or a locally based fisherman and his family members for which permission has been obtained from Government.
- (9) In any area shown as 'Road', all uses or developments except those specified in paragraphs (8)(a) to (8)(d) and (8)(g) above and those specified below require permission from the Town Planning Board:
- road, toll plaza and on-street vehicle park.
- (10) (a) Temporary use or development of any land or building not exceeding a period of two months is always permitted provided that no site formation (filling or excavation) is carried out and that the use or development is a use or development specified below:
- structures for carnivals, fairs, film shooting on locations, festival celebrations, religious functions or sports events.
- (b) Except as otherwise provided in paragraph (10)(a), temporary use or development of any land or building not exceeding a period of three years requires permission from the Town Planning Board. Notwithstanding that the use or development is not provided for in terms of the Plan, the Town Planning Board may grant permission, with or without conditions, for a maximum period of three years, or refuse to grant permission.

- (c) Temporary use or development of land or building exceeding three years requires permission from the Town Planning Board in accordance with the terms of the Plan.
- (11) Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted uses and developments within the same zone are always permitted and no separate permission is required.
- (12) In these Notes, unless the context otherwise requires or unless as expressly provided below, terms used in the Notes shall have the meanings as assigned under section 1A of the Town Planning Ordinance.

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

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

**APPROVED FU TEI AU AND SHA LING  
OUTLINE ZONING PLAN NO. S/NE-FTA/18**

**Schedule of Uses**

	<b><u>Page</u></b>
RESIDENTIAL (GROUP A)	1
VILLAGE TYPE DEVELOPMENT	4
OPEN STORAGE	6
GOVERNMENT, INSTITUTION OR COMMUNITY	7
OTHER SPECIFIED USES	9
AGRICULTURE	10
GREEN BELT	12

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

(Please see next page)



RESIDENTIAL (GROUP A) (Cont'd)

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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:

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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

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

- (a) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 6.7 and a maximum building height in terms of metres above Principal Datum as stipulated on the Plan, or the plot ratio and height of the existing building, whichever is the greater.
- (b) In determining the maximum plot ratio for the purposes of paragraph (a) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, 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.

(Please see next page)

RESIDENTIAL (GROUP A) (Cont'd)

Remarks (Cont'd)

- (c) In determining the maximum plot ratio for the purpose of paragraph (a) above, any floor space that is constructed or intended for use solely as Government, institution or community facilities and public transport facilities, as required by the Government, may be disregarded.
- (d) 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 (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

VILLAGE TYPE DEVELOPMENT

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

Planning Intention

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

(Please see next page)

VILLAGE TYPE DEVELOPMENT (Cont'd)

Remarks

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



OPEN STORAGE

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Eating Place (Canteen only) Government Refuse Collection Point Government Use (not elsewhere specified) On-Farm Domestic Structure Open Storage (not elsewhere specified) Public Convenience Public Utility Installation Public Vehicle Park (excluding container vehicle) Rural Workshop Shop and Services (Service Trades only) Utility Installation for Private Project Vehicle Repair Workshop Warehouse (excluding Dangerous Goods Godown)	Asphalt Plant/Concrete Batching Plant Cargo Handling and Forwarding Facility Cement Manufacturing Container Storage/Repair Yard Container Vehicle Park/Container Vehicle Repair Yard Dangerous Goods Godown Eating Place (not elsewhere specified) Industrial Use (not elsewhere specified) Open Storage of Cement/Sand Open Storage of Chemical Products/Dangerous Goods Petrol Filling Station Shop and Services (not elsewhere specified) Vehicle Stripping/Breaking Yard Wholesale Trade

Planning Intention

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

GOVERNMENT, INSTITUTION OR COMMUNITY

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

(Please see next page)

GOVERNMENT, INSTITUTION OR COMMUNITY (Cont'd)

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.

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
<u>For “Port Back-up Uses” only</u>	
Government Refuse Collection Point	Ambulance Depot
Government Use (not elsewhere specified)	Cargo Handling and Forwarding Facility
Public Convenience	Container Storage/Repair Yard
Public Transport Terminus or Station	Container Vehicle Park/Container Vehicle Repair Yard
Public Utility Installation	Dangerous Goods Godown
	Eating Place (Canteen, Cooked Food Centre only)
	Petrol Filling Station
	Public Vehicle Park (excluding container vehicle)
	Refuse Disposal Installation
	Utility Installation for Private Project
	Vehicle Repair Workshop
	Warehouse (excluding Dangerous Goods Godown)

Planning Intention

This zone is intended primarily for accommodating the anticipated increasing cross-boundary freight traffic, especially the parking of container vehicles, including container trailers and tractors, and other port back-up uses.

For “Poultry Slaughtering Centre” only

Poultry Slaughtering Centre	Government Use (not elsewhere specified) Public Utility Installation
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Planning Intention

This zone is intended primarily for the development of a poultry slaughtering centre to centralize the processing of poultry slaughtering so as to minimize the risk of human infection of avian influenza.

Remarks

The poultry slaughtering centre shall not exceed the maximum building height of 40 metres above Hong Kong Principal Datum.



AGRICULTURE

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

Planning Intention

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

(Please see next page)

AGRICULTURE (Cont'd)

Remarks

- (a) Any filling of pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the interim development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance
- (b) Any filling 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 Fu Tei Au and Sha Ling Outline Zoning Plan No. S/NE-FTA/8 without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance. This restriction does not apply to filling of land specifically required under prior written instructions of Government department(s) or for the purposes specified below:
  - (i) laying of soil not exceeding 1.2m in thickness for cultivation; or
  - (ii) construction of any agricultural structure with prior written approval issued by the Lands Department.

GREEN BELT

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

Planning Intention

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

(Please see next page)

GREEN BELT (Cont'd)

Remarks

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

**APPROVED FU TEI AU AND SHA LING  
OUTLINE ZONING PLAN NO. S/NE-FTA/18**

**EXPLANATORY STATEMENT**

**APPROVED FU TEI AU AND SHA LING  
OUTLINE ZONING PLAN NO. S/NE-FTA/18**

**EXPLANATORY STATEMENT**

<b><u>CONTENTS</u></b>	<b><u>Page</u></b>
1. INTRODUCTION	1
2. AUTHORITY FOR THE PLAN AND PROCEDURE	1
3. OBJECT OF THE PLAN	3
4. NOTES OF THE PLAN	3
5. THE PLANNING SCHEME AREA	3
6. POPULATION	4
7. OPPORTUNITIES AND CONSTRAINTS	4
8. GENERAL PLANNING INTENTION	6
9. LAND USE ZONINGS	
9.1 Residential (Group A)	6
9.2 Village Type Development	7
9.3 Open Storage	8
9.4 Government, Institution or Community	9
9.5 Other Specified Uses	10
9.6 Agriculture	10
9.7 Green Belt	11
10. CULTURAL HERITAGE	11
11. COMMUNICATIONS	12
12. UTILITY SERVICES	12
13. IMPLEMENTATION	12
14. PLANNING CONTROL	13

**APPROVED FU TEI AU AND SHA LING  
OUTLINE ZONING PLAN NO. S/NE-FTA/18**

(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 Fu Tei Au and Sha Ling Outline Zoning Plan (OZP) No. S/NE-FTA/18. It reflects the planning intention and objectives of the Town Planning Board (the Board) for various land use zonings of the Plan.

2. AUTHORITY FOR THE PLAN AND PROCEDURE

- 2.1 The land covered by the Fu Tei Au and Sha Ling OZP was previously included in the Fu Tei Au and Sha Ling Interim Development Permission Area (IDPA) Plan and Fu Tei Au Development Permission Area (DPA) Plan.
- 2.2 On 7 September 1990, the Fu Tei Au and Sha Ling IDPA Plan No. IDPA/NE-FTA/1 prepared by the Director of Planning was notified in the Gazette.
- 2.3 On 12 July 1991, the draft Fu Tei Au and Sha Ling DPA Plan No. DPA/NE-FTA/1 was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). On 7 June 1994, the draft Fu Tei Au and Sha Ling DPA Plan was approved by the then Governor in Council under section 9(1)(a) of the Ordinance and renumbered as DPA/NE-FTA/2.
- 2.4 On 17 May 1993, under the power delegated by the then Governor, the then Secretary for Planning, Environment and Lands directed the Board, under section 3(1)(a) of the Ordinance, to prepare an OZP for the Fu Tei Au and Sha Ling area.
- 2.5 On 24 June 1994, the draft Fu Tei Au and Sha Ling OZP No. S/NE-FTA/1 was exhibited for public inspection under section 5 of the Ordinance. The OZP was subsequently amended and exhibited for public inspection under section 7 of the Ordinance. On 23 March 1999, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Fu Tei Au and Sha Ling OZP, which was subsequently renumbered as S/NE-FTA/3.
- 2.6 On 22 June 1999, the CE in C referred the approved OZP No. S/NE-FTA/3 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was subsequently amended and exhibited for public inspection under the Ordinance. On 25 January 2000, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Fu Tei Au and Sha Ling OZP, which was

subsequently renumbered as S/NE-FTA/5.

- 2.7 On 21 October 2003, the CE in C referred the approved Fu Tei Au and Sha Ling OZP No. S/NE-FTA/5 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was then amended and exhibited for public inspection under section 5 of the Ordinance on 19 December 2003. On 2 November 2004, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Fu Tei Au and Sha Ling OZP, which was subsequently renumbered as S/NE-FTA/7.
- 2.8 On 12 April 2005, the CE in C referred the approved Fu Tei Au and Sha Ling OZP No. S/NE-FTA/7 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was then amended twice and exhibited for public inspection under section 5 or 7 of the Ordinance.
- 2.9 On 17 October 2006, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Fu Tei Au and Sha Ling OZP, which was subsequently renumbered as S/NE-FTA/10.
- 2.10 On 3 June 2008, the CE in C referred the approved Fu Tei Au and Sha Ling OZP No. S/NE-FTA/10 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. On 16 October 2009, the draft Fu Tei Au and Sha Ling OZP No. S/NE-FTA/11 was exhibited for public inspection under section 5 of the Ordinance.
- 2.11 On 5 October 2010, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Fu Tei Au and Sha Ling OZP, which was subsequently renumbered as S/NE-FTA/12.
- 2.12 On 5 November 2013, the CE in C, under section 12(1)(b)(ii) of the Ordinance, referred the approved Fu Tei Au and Sha Ling OZP No. S/NE-FTA/12 to the Board for amendment. On 20 December 2013, the draft Fu Tei Au and Sha Ling OZP No. S/NE-FTA/13 was exhibited for public inspection under section 5 of the Ordinance. On 16 June 2015, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Fu Tei Au and Sha Ling OZP, which was subsequently renumbered as S/NE-FTA/14.
- 2.13 On 7 February 2017, the CE in C, under section 12(1)(b)(ii) of the Ordinance, referred the approved Fu Tei Au and Sha Ling OZP No. S/NE-FTA/14 to the Board for amendment. The OZP was then amended and the draft Fu Tei Au and Sha Ling OZP No. S/NE-FTA/15 was exhibited for public inspection under section 5 of the Ordinance on 7 April 2017. On 5 December 2017, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Fu Tei Au and Sha Ling OZP, which was subsequently renumbered as A/NE-FTA/16.
- 2.14 On 8 November 2022, the CE in C referred the approved Fu Tei Au and Sha Ling OZP No. S/NE-FTA/16 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The reference back of the OZP was notified in the Gazette on 18 November 2022 under section (12)(2) of the Ordinance.
- 2.15 On 28 April 2023, the draft Fu Tei Au and Sha Ling OZP No. S/NE-FTA/17 was exhibited for public inspection under section 5 of the Ordinance. The



Plan incorporates amendments mainly to rezone a site in Wa Shan, Sheung Shui from “Agriculture” (“AGR”) and “Green Belt” to “Residential (Group A)” for public housing development; and to rezone a piece of land to the west of the public housing site from “AGR” to “Government, Community or Institution” for reprovisioning of government facilities affected by the public housing development. During the two-month exhibition period, a total of three representations were received. On 7 July 2023, the representations were published for three weeks for public comment and one comment on representations was received. After giving consideration to the representations and comment on 3 November 2023, the Board decided not to uphold the representations and that no amendment should be made to the draft OZP to meet the representations.

- 2.16 On 9 April 2024, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Fu Tei Au and Sha Ling OZP, which was subsequently renumbered as S/NE-FTA/18. On 19 April 2024, the approved Fu Tei Au and Sha Ling OZP No. S/NE-FTA/18 (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 for the area of Fu Tei Au and Sha Ling so that development and redevelopment within the area can be put under statutory planning control. It also provides the planning framework for preparing more detailed non-statutory plans which form the basis for public works planning and site reservation for various uses.
- 3.2 The Plan is to illustrate the broad principles of development and planning control only. 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 proceeds.

### 4. NOTES OF THE PLAN

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

### 5. THE PLANNING SCHEME AREA

- 5.1 The Planning Scheme Area (the Area) covered by the Plan is about 318 hectares. The Area lies in the northern part of the North East New Territories

(NENT) and is located immediately to the north of Fanling North New Development Area. It is bounded by Man Kam To boundary crossing in the north, Hung Lung Hang in the east, Ng Tung River in the southeast, Fu Tei Au Road in the southwest, and Mass Transit Railway (East Rail Line) in the west. The boundary of the Area is shown by a heavy broken line on the Plan.

- 5.2 Apart from the flat arable land concentrated in the south-eastern and western parts of the Area and along both sides of Man Kam To Road, the Area comprises mainly hilly terrain especially to the northwest (i.e. Sandy Ridge) and east (Cheung Po Tau and Kong Nga Po).
- 5.3 The main economic activities in the Area have undergone significant changes in recent years as a significant amount of agricultural land and fish ponds have been converted to open storage and informal industrial uses due to the lack of adequate land use controls before the gazettal of IDPA Plan. The agricultural activities in the Area comprise mainly livestock rearing, fish and cash crops cultivation. These were once predominant uses in the area but have recently been affected by the proliferation of open storage and informal industrial uses. In general, agricultural activities in Sha Ling and areas distant from the main roads in Fu Tei Au are less adversely affected.
- 5.4 At present, the haphazard development of open storage, lorry park and informal industrial uses are largely related to the cross-boundary trades and such activities are usually concentrated along Man Kam To Road. Proliferation of incompatible uses indiscriminately has given rise to environmental, boundary control and traffic problems. In balancing the need of providing land to accommodate cross-boundary trades and port back-up facilities, without jeopardising conservation protection of existing agricultural land, woodland and landscape amenities, there is a need for planning guidance and development control in the Area.

## 6. POPULATION

Based on the 2016 Population By-census, the population of the Area was estimated by the Planning Department as about 1,550 persons. It is estimated that the total planned population would be about 13,500 persons.

## 7. OPPORTUNITIES AND CONSTRAINTS

### 7.1 Opportunities

- 7.1.1 The extension of the Man Kam To Vehicle Holding Area (VHA) and the proposed VHA near Sheung Shui Water Treatment Works would alleviate congestion on main transport routes.
- 7.1.2 The improvement of the van track leading from Tin Ping Shan to Sheung Shui Wa Shan Village under the then Rural Planning and Improvement Strategy was completed in 1998. Another Rural Public Works project for resurfacing an existing van track at Sheung Shui Wa Shan was completed in early 2003.

## 7.2 Constraints

### 7.2.1 Traffic Aspects

The Area is traversed by Man Kam To Road in the north-south direction and the Man Kam To Boundary Crossing is at the northern boundary of the Area. Man Kam To Road is a major transport link in the New Territories. Despite the proposed road improvement works, heavy cross-boundary trade would have adverse impact on the capacity of Man Kam To Road and congestion on this main transport route and Jockey Club Road may become apparent. The congestion problem is further worsened by the proliferation of lorry parks, open storage and rural industrial developments along the road. Congestion on Man Kam To Road not only hinders the cross-boundary trades but also limits the development potential of the Area. New transport link and further improvement works on Man Kam To Road would be required to relieve congestion and facilitate future development.

### 7.2.2 Sewerage Aspects

The Area is not yet served by sewerage infrastructure and installation of septic tank/soakaway system is not suitable for the flood-prone areas in the south. For new developments, on-site sewage treatment facilities (e.g. sewage treatment plant), acceptable to the Environmental Protection Department, are required.

### 7.2.3 Drainage Aspects

- (a) The low-lying areas to the south of Lo Wu MTR Station are susceptible to flooding. Consideration should be given to restrict developments within the area liable to flood damages and uses which may cause adverse drainage impacts on other areas in the drainage basin. Developments must be accompanied by drainage impact assessments or effective drainage facilities proposal.
- (b) The training works for Ng Tung River located along the southeastern edge of the Area were completed. The flooding situation in these previously flood prone areas has been greatly improved.

### 7.2.4 Geotechnical Aspects

- (a) There are existing geotechnical features that could affect or be affected by development/redevelopment within the Area. Upon development/redevelopment, the stability of these geotechnical features should be assessed and, if necessary, upgraded to the current safety standards.
- (b) The Area is overlooked by steep natural hillsides and may be affected by potential natural terrain landslide hazards. For future development at these areas, a natural terrain hazard study

may be required to assess the scale of hazards and suitable hazard mitigation measures, if found necessary, should be provided as part of the development. The required natural terrain hazard study and necessary hazard mitigation measures may incur significant cost implications for further developments at these areas.

#### 7.2.5 Other Constraints

Other built and environmental constraints are found in the Area, these include the Man Kam To VHA, Sheung Shui Water Treatment Works, waterworks reserves for pipelines and water tunnel, Police Firearm Training Ground, Sha Ling Livestock Waste Composting Plant, Border District Police Headquarters, Sheung Shui Wa Shan Site of Archaeological Interest and permitted burial grounds for indigenous villagers.

### 8. GENERAL PLANNING INTENTION

- 8.1 The North East New Territories Development Strategy Review (NENT DSR) was commissioned by the Government to examine development opportunities and constraints in the NENT. The NENT DSR recognizes the potential recreational opportunities of the NENT in view of the high-quality natural environment and landscape amenity. A balance should therefore be maintained to facilitate development on selected areas and promote landscape protection in the NENT. Whilst the NENT will continue to accommodate a certain extent of conventional manufacturing and warehouse activities, it is the intention to discontinue those polluting and non-conforming uses.
- 8.2 The general planning intention for the Area is to promote and conserve the rural character through control on urban sprawl, minimisation of flood risk and preservation of agricultural land, and to achieve coherent planning and control of the open storage problem.
- 8.3 In the designation of various zones in the Area, considerations have been given to the natural environment, physical landform, existing settlements, availability of infrastructure, constraints and opportunities, land ownership, land status and local development pressure.
- 8.4 Other than the above, buildings and places of historical and archaeological interests should be preserved in the Area as far as possible.

### 9. LAND USE ZONINGS

#### 9.1 Residential (Group A) ("R(A)"): Total Area 3.72 ha

- 9.1.1 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 portions of an existing building.

- 9.1.2 A site in Wa Shan, Sheung Shui is zoned “R(A)” intended for public housing development. Development/redevelopment within this zoning is subject to a maximum plot ratio of 6.7 and a maximum building height of 170mPD.
- 9.1.3 In determining the maximum plot ratio of the development and/or redevelopments, any floor space that is constructed or intended for use solely as public transport facilities and GIC facilities, as required by the Government, may be disregarded to facilitate the provision of these facilities.
- 9.1.4 Minor relaxation of the plot ratio and/or building height restrictions for the “R(A)” zone may be considered by the Board on application under section 16 of the Ordinance. Each application for minor relaxation of plot ratio and/or building height restrictions will be considered on its own merits.
- 9.1.5 A planning brief setting out the development parameters and the design requirements of public housing development will be provided to guide its future development.
- 9.1.6 The traffic noise from the planned Fanling Bypass (Western Section) to the south of the proposed public housing development should be mitigated at source as far as practicable to allow greater design flexibility for the latter. The building height, layout and design of the public housing development, particularly the public transport terminus and car parking building, should be improved to create more openness with minimised visual impact, and achieve reasonable massing, building separation and stepped height arrangements.
- 9.1.7 An Air Ventilation Assessment – Expert Evaluation (AVA-EE) has been carried out for the “R(A)” site. It is found out that design measures, including building separations and setbacks, would alleviate the potential air ventilation impacts to the surrounding wind environment. As recommended in the AVA-EE, a quantitative AVA would be conducted for optimizing the scheme at detailed design stage. The requirement for quantitative AVA studies and design measures will be incorporated in the planning brief for the implementation as appropriate.
- 9.1.8 The plot ratio control is regarded as being stipulated in a “new or amended statutory plan” according to the Joint Practice Note No. 4 “Development Control Parameters Plot Ratio/Gross Floor Area”, and shall be subject to the streamlining arrangements stated therein.

9.2 Village Type Development (“V”) : Total Area 12.65 ha

- 9.2.1 The planning intention of this zone is to designate both existing recognized villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a

more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Board.

9.2.2 The boundaries of the “V” zones are drawn up having regard to the village ‘environs’ of the recognized villages, the local topography, the existing land use pattern, the provision of infrastructural facilities, the approved applications for Small House development, the outstanding Small House applications, as well as the Small House demand forecast. Areas of difficult terrain, dense vegetation, burial grounds and streamcourses have been avoided. Village expansion areas and other infrastructural improvements will be guided by detailed layout plans whenever applicable.

9.2.3 Two recognized villages in the Area, namely San Uk Ling Village and Sheung Shui Wa Shan Village are within this zone. The western part of San Uk Ling Village is subject to adverse traffic noise impact generated by the cross-boundary traffic along Man Kam To Road. In addition, since the western edge of the village would be required for the proposed extension of the Man Kam To VHA, future village housing development near the road should be avoided. Suitable noise mitigation measures such as self-protective building design, noise barriers etc. would be required.

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

### 9.3 Open Storage (“OS”) : Total Area 7.19 ha

9.3.1 This zone is intended primarily for the provision of land for appropriate open storage uses and to regularize the already haphazard proliferation of open storage uses. It provides for the orderly development of land for open storage uses that cannot be accommodated in conventional godown premises. Moreover, uses serving the cross-boundary trade such as vehicle repair workshop and warehouse (excluding dangerous goods godown) are always permitted.

9.3.2 Specified open storage uses such as container storage, container vehicle park, open storage of cement/sand, vehicle stripping/breaking yard, etc. which may cause environmental nuisance, safety hazards or traffic problems require planning permission from the Board. Development proposals for such purposes have to clearly demonstrate that the proposed uses would have no adverse environmental, drainage, traffic and other impacts on the surrounding uses. Other open storage uses (not elsewhere specified), such as storage of processed agricultural products, construction materials (except storage of cement/sand) and equipment, which are unlikely to cause adverse

environmental and traffic impacts are always permitted in this zone.

- 9.3.3 The proliferation of unplanned open storage and industrial developments along the corridor of Man Kam To Road has created significant environmental and traffic problems, though these uses have contribution to the cross-boundary trade.
- 9.3.4 The proposed VHA near the Sheung Shui Water Treatment Works and the proposed extension of Man Kam To VHA, after completion, can relieve the additional traffic generated by the increasing cross-boundary traffic and open storage activities in the Area.

9.4 Government, Institution or Community (“G/IC”) : Total Area 42.88 ha

- 9.4.1 The “G/IC” 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. As detailed planning proceeds, other land in the Area may be designated to this category to meet the envisaged demand of the growing population of the Area.
- 9.4.2 The San Uk Ling Holding Centre, San Uk Ling Police Firearm Training Ground, Border District Police Headquarters, Sha Ling Livestock Waste Composting Plant, Sheung Shui Water Treatment Works, Mass Transit Railway Corporation Carpark and Staff Quarters, and the Police Dog Unit and Force Search Unit Training Centre are zoned “G/IC”.
- 9.4.3 In order to facilitate the provision of toilet and catering facilities for cross-boundary drivers, a piece of Government land adjoining the extension of the Man Kam To VHA is zoned “G/IC”. Two “G/IC” sites on Government land near the Border District Police Headquarters are reserved to meet the long-term needs. A piece of land located to the west of the public housing development in Wa Shan, Sheung Shui is designated for reprovisioning of the existing refuse collection point and public toilet affected by the public housing development.
- 9.4.4 In addition, a site near Kong Nga Po is zoned “G/IC(1)” for co-locating various existing police facilities in the North District including the Lo Wu and Ma Tso Lung firing ranges, the police driving and traffic training facilities and weapons training facilities at Fanling, the helipad at Lo Wu Firing Range, and a proposed police training facility. According to the indicative layout plan under the “Engineering Study for Police Facilities in Kong Nga Po - Feasibility Study” undertaken by the Civil Engineering and Development Department, the police facilities to be accommodated at the Kong Nga Po site will have a total floor area of about 35,000m<sup>2</sup> and a maximum building height of 5 storeys which will be subject to change at the detailed design stage.

9.5 Other Specified Uses (“OU”) : Total Area 8.78 ha

- 9.5.1 The planning intention of this zone is to allocate land for specified uses.
- 9.5.2 An area located along Man Kam To Road at Sheung Shui Wa Shan is zoned “OU” annotated “Port Back-up Uses”. This area is primarily intended to accommodate the anticipated increasing cross-boundary freight traffic, especially the parking of container vehicles, including container trailers and tractors, and other port back-up uses. It is an area consisting of mainly fallow agricultural land intermixed with scattered open storage yards. The close proximity of the site to the Man Kam To Boundary Control Point provides an unique opportunity to develop the area for port back-up uses which could accommodate a range of services to facilitate cross-boundary trades.
- 9.5.3 Nevertheless, in order to maintain control and address potential impacts of port back-up uses on drainage, traffic, sewage and environment on adjoining areas, permission of the Board under section 16 of the Ordinance would be required.
- 9.5.4 A piece of land abutting Man Kam To Road in Fu Tei Au is zoned “OU” annotated “Poultry Slaughtering Centre”. This zone is intended primarily for the development of a poultry slaughtering centre to centralize the processing of poultry slaughtering so as to minimize the risk of human infection of avian influenza. The poultry slaughtering centre shall not exceed the maximum building height of 40 metres above Hong Kong Principal Datum.

9.6 Agriculture (“AGR”) : Total Area 125.90 ha

- 9.6.1 This zone is intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. The zoned areas are usually well served by irrigation and servicing facilities as well as marketing facilities for intensive farming including livestock rearing, fish culture and horticulture. This zone is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.
- 9.6.2 Since the norther part (e.g. Sha Ling) and eastern part of the Area (e.g. Sheung Shui Wa Shan) fall within the Environmental Protection Department’s Livestock Waste Control Area (i.e. Upper Shenzhen River Area) with effect from 1 January 1989, livestock premises located in the statutory Control Area must comply with the requirements of the Waste Disposal (Livestock Waste) Regulations. Measures should be taken to prevent any environmental nuisance to the public and any pollution to watercourses and Water Gathering Grounds within the meaning of the Waterworks Ordinance. Adequate provision for the temporary storage of livestock waste in properly-designed and constructed containers should be made.
- 9.6.3 Part of the Sheung Shui Wa Shan Site of Archaeological Interest falls



within this zone and prior consultation with the Antiquities and Monuments Office (AMO) of Development Bureau (DEVB) is required on any development or redevelopment proposal which might affect the site. As filling of land/pond may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities. However, filling of land specifically required under prior written instructions of Government department(s) or for the purposes of genuine agricultural practice including laying of soil not exceeding 1.2m in thickness for cultivation, and construction of agricultural structure with prior written approval from the Lands Department is exempted from the control.

9.7 Green Belt ("GB") : Total Area 105.49 ha

- 9.7.1 The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. The zoned areas may include foothills, lower hill slopes, spurs, isolated knolls, woodland, vegetated land and areas of 'fung shui' significance. Part of the permitted burial grounds for indigenous villagers also falls within this zone.
- 9.7.2 This zoning is intended to promote conservation of the natural environment, 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. Nevertheless, limited developments may be permitted if they are justified on strong planning grounds. Developments requiring planning permission from the Board will be assessed on their individual merits taking into account the relevant Town Planning Board Guidelines.
- 9.7.3 A large portion of the Sheung Shui Wa Shan Site of Archaeological Interest falls within this zone and prior consultation with the AMO of the DEVB is required on any development or redevelopment proposal which might affect the site.
- 9.7.4 As filling and excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.

10. CULTURAL HERITAGE

The Sheung Shui Wa Shan Site of Archaeological Interest is located within the Fu Tei Au and Sha Ling area. The AMO of the DEVB should be consulted on any development or redevelopment proposals which might affect this site or jeopardise the integrity of this site and its immediate environs. An assessment shall be conducted to evaluate the archaeological impact imposed by the proposed works if there is any development within this site of archaeological interest. If necessary, a professional 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 to evaluate whether the proposed works is acceptable from an archaeological preservation point of view and propose appropriate mitigation measures.

## 11. COMMUNICATIONS

Reconstruction of Man Kam To Road was completed in October 1999. A vehicular access road serving the area designated as “OU” annotated “Port Back-up Uses” at Sheung Shui Wa Shan is planned.

## 12. UTILITY SERVICES

### 12.1 Water Supply

Fresh water supply is generally available to low lying areas in the Area. Water supply to the Area is divided into two zones. For the northern part (north of Sheung Shui Water Treatment Works), supply of fresh water is provided directly by Sheung Shui Water Treatment Works with Table Hill Fresh Water Service Reservoir acting as a balancing tank. For the southern part (Sheung Shui Water Treatment Works and southwards), supply of fresh water is provided by Table Hill Fresh Water Service Reservoir. Currently, temporary mains fresh water for flushing is provided to the area as supply of seawater for flushing is not available.

### 12.2 Sewerage and Drainage Systems

The Area is not provided with public sewers. It is anticipated that the Area will ultimately be provided with public sewers since it is located with proximity to the Fanling/Sheung Shui New Town. In the meantime, on-site sewage treatment facilities, acceptable to the Environmental Protection Department, are required.

### 12.3 Electricity Supply

The Area is supplied with electricity. 132kV overhead line and cables through Wa Shan and Kong Nga Po have been proposed for additional supply to the Muk Wu Pumping Station.

### 12.4 Gas Supply

There is neither existing nor planned gas installation proposal within the Area.

### 12.5 Telephone Services

Both existing and proposed telephone lines are provided or planned in the Area.

## 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 provision of infrastructure within the Area. The implementation process will be gradual and may stretch over a long period of time depending on the availability of resources. It will be undertaken through the participation of both the public and private sectors.
- 13.3 Notwithstanding the above, minor improvement works, e.g. road widening and laying of utility services will be implemented through the Public Works Programme and the Rural Public Works as and when resources are available. Private developments will be effected principally through private sector initiatives to develop or redevelop their properties in accordance with the zoned uses indicated on the Plan, provided that their proposals meet Government requirements.

#### 14. PLANNING CONTROL

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

applications.

- 14.4 Any development, other than those referred to in paragraph 14.1 above or in conformity with this Plan or with the permission of the Board, undertaken or continued on or after 7 September 1990 on land included in a plan of the Fu Tei Au and Sha Ling IDPA may be subject to enforcement proceedings under the Ordinance. Any filling of land/pond and excavation of land in the relevant zones on or after the exhibition of the specific plan referred to in the Notes of the relevant zones without the permission from the Board may also be subject to enforcement proceedings.

TOWN PLANNING BOARD  
APRIL 2024