

TOWN PLANNING BOARD

**TPB Paper No. 9459
For Consideration by
the Town Planning Board on 4.10.2013**

**DRAFT TIN FU TSAI OUTLINE ZONING PLAN No. S/TM-TFT/B
PRELIMINARY CONSIDERATION OF A NEW PLAN**

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1. Purpose

The purpose of this paper is to present to Members the draft Tin Fu Tsai Outline Zoning Plan No. S/TM-TFT/B (the Plan) and to seek Members' agreement that the Plan is suitable for submission to the Tuen Mun District Council (TMDC), Tuen Mun Rural Committee (TMRC) and Yuen Long District Council (YLDC) for consultation.

2. Background

- 2.1 According to the 2010-2011 Policy Address, the Government will either include the sites encircled by Country Parks into Country Parks, or determine their proper uses through statutory planning in order to meet conservation and social development needs.
- 2.2 On 13.12.2010, under the power delegated by the Chief Executive, the Secretary for Development directed the Town Planning Board (the Board), under section 3(1)(b) of the Town Planning Ordinance (the Ordinance), to prepare a draft plan designating the Tin Fu Tsai area (the Area) as a development permission area (DPA).
- 2.3 On 7.1.2011, the draft Tin Fu Tsai DPA Plan No. DPA/TM-TFT/1 was exhibited for public inspection under section 5 of the Ordinance.
- 2.4 On 6.12.2011, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Tin Fu Tsai DPA Plan, which was subsequently renumbered as DPA/TM-TFT/2. On 16.12.2011, the approved Tin Fu Tsai DPA Plan No. DPA/TM-TFT/2 (**Plan 1**) was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.5 Pursuant to section 20(5) of the Ordinance, the Tin Fu Tsai DPA Plan is effective only for a period of 3 years until 7.1.2014. As such, an OZP has to be prepared to replace the DPA Plan in order to maintain statutory planning control over the Area upon expiry of the DPA Plan.
- 2.6 On 30.1.2013, under the power delegated by the Chief Executive, the Secretary for Development directed the Board, under section 3(1)(a) of the Ordinance, to prepare an outline zoning plan for the Area.

3. Issues Arising from Consideration of the DPA Plan

- 3.1 During the consideration of the representations to the draft Tin Fu DPA Plan No. DPA/TM-TFT/1 on 15.7.2011, the following issues were raised in the adverse and supportive representations:
- (a) The adverse representations were from Village Representative of Tin Fu Chai (who represented villagers and land owners) and Tuen Mun Rural Committee. The major issue raised was that the DPA Plan would affect the future development of Tin Fu Chai, and villagers who wanted to build houses would need to submit planning applications.
 - (b) The supportive representations were from Designing Hong Kong Limited, The Conservancy Association, The Hong Kong Bird Watching Society Limited, and World Wide Fund for Nature Hong Kong. In general, they requested for conservation related zonings to protect the natural and rural character, and water resources of the Area. Designing Hong Kong Limited stated that the northeast side of the Area appeared in good condition with natural and secondary forest. This area was recommended to be zoned as “Conservation Area” to preserve the rural and natural character of the area (**Drawing 1**).
 - (c) The Tuen Mun District Council expressed concern on whether the Government would accept large-scale ‘non-haphazard’ developments in the Area and whether relocation of the villagers and residents at Tin Fu Tsai would be required.
- 3.2 The Board decided not to uphold the representations. For the adverse representations, the Board considered that the DPA Plan would not affect the future development of the Tin Fu Tsai area and there were provisions in the DPA Plan for application for development under the Ordinance. For the supportive representations, the Board considered that the DPA Plan was an interim plan which would be replaced by an OZP and detailed land use zonings would be worked out at the OZP preparation stage. For the concerns of the Tuen Mun District Council, the Board considered that the objective of the DPA Plan was to prevent haphazard developments and conserve the rural and natural character of the Area. Large-scale developments were generally not favoured, and the DPA Plan had not proposed any removal or relocation of the villagers or residents of the Tin Fu Tsai area.

4. Object of the Plan

The object of the Plan is to indicate the broad land use zonings for Tin Fu Tsai area so as 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.

5. The Planning Scheme Area

- 5.1 The planning scheme area (the Area) is located at Tin Fu Tsai and covers an area of about 54.50 ha. It is completely encircled by Tai Lam Country Park. It is about 1.7 kilometres (km) to the southwest of Ho Pui Irrigation Reservoir, and about 1.8 km to the east of the upper end of Tai Lam Chung Reservoir and Kat Hing Bridge (**Plans 2 and 3**). Tai Lam Tunnel runs through the western part of the Area underground in a north-south direction. The Area falls mainly within the Tuen Mun district, and partly within the Yuen Long district (**Plan 3**).
- 5.2 The Area is rural and natural in character (**Plan 4 and Plan 5**). It is surrounded by vegetated hill slopes of Tai Lam Country Park. The eastern, southern and central parts of the Area mainly comprise flat or gently sloping land with orchards/planted trees and some fallow agricultural land covered with trees, shrubs and grasses. The western part of the Area comprises gentle slopes with trees at the periphery. In the northwestern part of the Area, along the toe of the hill slopes is a woodland, and some of the trees are on previously fallow agricultural land. The woodland extends to the upper and steeper hill slopes in the northwestern part of the Area. The northern and northeastern parts of the Area comprise steeper naturally vegetated hill slopes rising to a higher altitude. The higher hill slopes are generally covered by shrubs and grasses, while trees concentrate at the toe of these hill slopes and along the streams flowing down these slopes. These streams converge to a west-flowing branched watercourse near the central and at the southwestern parts of the Area. A few ponds are near the watercourse at the southwestern part of the Area. The southwestern part of the Area has generally been used for an outdoor training centre. Some war game areas stretch from the southwestern part to the northwestern part of the Area. A few village type houses are in the Area. Some cultivated land is at the southwestern part of the Area. An ancestral hall is in the northwestern part of the Area.
- 5.3 Tin Fu Chai (as per the List of Recognized Villages under the New Territories Small House Policy published by the Lands Department), a pre-1898 recognized village, is located within the Area (**Plan 10**).
- 5.4 The Area is within a gazetted water gathering ground (**Plan 6**). According to the Water Supplies Department (WSD), the water gathering ground in which the Area locates is classified as upper direct water gathering ground of Tai Lam Chung Reservoir, where water would flow into the reservoir direct. Part of a permitted burial ground is at the northwestern periphery of the Area (**Plan 9**).

6. Local Views

During the course of preparation of the draft Tin Fu Tai OZP, the Planning Department met the Indigenous Village Representative of Tin Fu Chai on 18.7.2012 and 5.9.2012 on the land use planning of the Area. He stated that Tin Fu Chai is a recognized village and has been inhabited by local villagers for a long time. The planning of Tin Fu Tsai area should respect this and “Village Type Development”

("V") zone should be designated for the indigenous villagers to build Small Houses. Besides, the planning should respect the current uses and conditions of the Tin Fu Tsai area. He was of the opinion that current uses at the Area should be permitted to be continued and the tranquil rural environment should be preserved. He also considered that the Tin Fu Tsai area had some potential for recreation development and flexibility could be provided for introducing some compatible recreation uses so that the Tin Fu Tsai area would not degrade into a dilapidated village.

7. **Land Use Planning Considerations (Plans 7, 8 and 9)**

Environmental and Conservation Considerations

- 7.1 The Area is of rural and natural character and with high landscape value and tranquil environment.
- 7.2 According to the Landscape Value Mapping of Hong Kong (2005), the Area is of upland countryside landscape character. The landscape is generally characterized by high levels of topographic relief, a very low density of built development, largely unaltered topography and high levels of vegetation cover. The landscape value of the Area is generally rated "High" (for areas with more natural character) and "High (Qualified)" (for areas with more human activities) (**Plan 7**). Opportunities should be taken to preserve the rural and natural character as well as the landscape of the Area.
- 7.3 According to the Agriculture, Fisheries and Conservation Department, the habitats in the northwestern part of the Area are largely natural (**Plan 8**). A wooded area to the north of an ancestral hall is dominated by *Celtis sinensis* (朴) and *Machilus pauhoi* (刨花潤楠) and believed to be the remnant of a 'fung shui' wood. Numerous individuals of *Pavetta hongkongensis* (香港大沙葉), which is a species protected under the Forests and Countryside Ordinance (Cap. 96), are also recorded there. Although the understory has been disturbed and signs of war game are noted, the ecological value of the wooded area should recover overtime. This wooded area is of higher conservation value. There is an opportunity to conserve the natural habitats and the wooded area in the northwestern part of the Area.
- 7.4 In addition, other areas with dense tree cover, especially at the periphery of the Area, and the vegetated hillsides with natural streams and diverse aquatic vegetation should be protected (**Plan 8**) as advised by the Agriculture, Fisheries and Conservation Department.
- 7.5 The Area is within an upper direct water gathering ground of the Tai Lam Chung Reservoir. According to the WSD, Tai Lam Chung Reservoir is a very important reservoir in Hong Kong and pollution of this reservoir will have serious consequences. New development within the Area should be strictly controlled in order to avoid any possible water pollution so as to safeguard the quality of the water sources of the Area.

Technical Constraints (Figure 9)

- 7.6 The Area is surrounded by natural hill slopes of Tai Lam Country Park. The hill slopes at the northwestern, northern and northeastern parts of the Area are steep. According to the Geotechnical Engineering Office, Civil Engineering and Development Department, there were natural terrain landslides on these steep hill slopes, which indicate that these natural hillsides are susceptible to natural terrain hazards. These steep hill slopes are considered not suitable for development.
- 7.7 The vehicular access to the Area is through Tai Lam Forest Track, which is a restricted road managed by the Agriculture, Fisheries and Conservation Department. The section of Tai Lam Forest Track near the Area also forms a section of MacLehose Trail and mountain bike trail for recreation purposes. The section of Tai Lam Forest Track concerned is narrow and without footway. Increased vehicular traffic would cause conflict with the recreation use and safety concerns.
- 7.8 The Area is not provided with public water supplies (both fresh/potable and flushing/salt water), drainage and sewerage systems. For the time being, there is no project for provision of public water supplies, drainage and sewerage systems. Uses and developments in the Area should pay due regard to these infrastructure constraints.
- 7.9 There are 400 kV overhead power lines at the southern part of the Area. The Tai Lam Tunnel should not be affected.
- 7.10 The Permitted Burial Ground No. BURGD15 is at the northwestern side of the Area. Part of the burial ground is at the northwestern periphery of the Area and the remaining part of it is within Tai Lam Country Park.
- 7.11 The upper direct water gathering ground mentioned in paragraph 7.5 above is also considered as a technical constraint.

Land for Village Development

- 7.12 Tin Fu Chai is a recognized village and the only village in the Area. Its 'village environs' covers an area of about 14.68 ha, of which about 13.81 ha (i.e. about 94.07%) is within the Area (**Plan 10**).
- 7.13 According to the District Lands Officer/Tuen Mun, Lands Department (DLO/TM, LandsD), there is no approved nor outstanding Small House application for Tin Fu Chai. The DLO/TM, LandsD advised that according to the Tuen Mun Rural Committee in 2009, the 10-year Small House demand forecast for Tin Fu Chai was 150. In January 2013, the DLO/TM, LandsD advised that the 10-year Small House demand forecast by end of 2012 as indicated by the Indigenous Village Representative (IVR) was 678. In August 2013, the DLO/TM, LandsD advised that the forecast was revised by the IVR to 720. However, the DLO/TM, LandsD states that the forecasts of 678 and 720 Small Houses cannot be verified. As the substantial increase in

the updated 10-year demand forecast is unjustified, the forecast at year 2009 (i.e. 150 Small Houses) would be adopted for reference in the preparation of the OZP.

- 7.14 There are 7 existing village type houses with inhabitants within the Area, which account for an area of about 0.18 ha. The forecasted 150 Small Houses would require an area of about 3.75 ha. Therefore, a site of about 3.93 ha in total (i.e. for 157 Small Houses) would be required. There is flat land with few trees in the southwestern part of the Area. The land is already with human activities (e.g. outdoor training centre, war game areas, some cultivated land) and no longer natural. Most of the existing village type houses (including some without inhabitants or in dilapidated state) are within this part of the Area. This part can be considered for village type development to meet the Small House demand of Tin Fu Chai.
- 7.15 However, according to the WSD, the Area falls within an upper direct water gathering ground. Since there is no existing or planned public sewerage within the Area, the WSD considers that new village type developments within the Area would increase the risk of pollution to the water gathering ground and that “V” zone, which permits New Territories Exempted House (NTEH) (including Small House) developments, within the Area is not appropriate. According to the Environmental Protection Department (EPD), in general the use of septic tank and soakaway systems for sewage treatment and disposal are not considered acceptable for new village type developments within water gathering ground, especially for sites in close proximity to existing stream courses. Any development should demonstrate that water quality within the water gathering ground would not be adversely affected.
- 7.16 In view of the concerns of the WSD and the EPD on the pollution of the upper direct water gathering ground, no “V” zone is proposed. However, rebuilding of NTEHs (including Small Houses) and replacement of existing domestic buildings by NTEHs (including Small Houses) would be permitted as per the covering Notes of the OZP. For new NTEHs (including Small Houses) developments, the villagers may consider identifying sites in other villages within the same Heung.

8. General Planning Intention

The Area is completely encircled by Tai Lam Country Park and is rural and natural in character. It forms an integral part of the natural habitats/system of the adjoining Tai Lam Country Park. The general planning intention for the Area is to conserve the natural habitats, landscape resources and rural and natural character of the Area. Developments which would cause adverse impacts on the water quality and water resources of the water gathering ground are not encouraged.

9. Land Use Zonings (Appendix I)

“Green Belt” (“GB”): Total area: 53.43 ha

- 9.1 The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.
- 9.2 Apart from the wooded area with higher conservation value in the northwestern part of the Area, all areas are within this zone. This zone also covers part of a permitted burial ground intended to provide burial places for indigenous villagers, which is at the northwestern periphery of the Area.
- 9.3 Since there is a general presumption against development within this zone, development in this zone will be strictly controlled. Development proposals will be considered by the Board on individual merits taking into account the relevant Town Planning Board Guidelines.
- 9.4 As diversion of stream, filling of land/pond or excavation of land may cause adverse drainage impact on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works.

“Conservation Area” (“CA”): Total area: 1.07 ha

- 9.5 This zoning is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.
- 9.6 A wooded area in the northwestern part of the Area with dense trees is within this zone. According to the Agriculture, Fisheries and Conservation Department, the habitats in this area are largely natural. The wooded area within this zone is dominated by *Celtis sinensis* (朴) and *Machilus pauhoi* (刨花潤楠) and believed to be the remnant of a ‘fung shui’ wood. Numerous individuals of *Pavetta hongkongensis* (香港大沙葉), which is a species protected under the Forests and Countryside Ordinance (Cap. 96), are also recorded there. This wooded area is of higher conservation value.
- 9.7 New residential development is not permitted under this zone. Redevelopment of existing houses may be permitted on application to the Board. The redevelopment of existing houses 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 in the Gazette of the notice of the draft DPA Plan.

- 9.8 Diversion of stream, filling of land/pond or excavation of land may cause adverse drainage impact 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.
- 9.9 Detailed land use zoning proposals are described in Section 9 of the Explanatory Statement (**Appendix III**) and Section 4 of the Planning Report (**Appendix IV**). The land use proposals in relation to the existing physical features, burial ground and 'village environs' is shown on **Plans 11a to 11b**.

10. Notes of the Plan

- 10.1 Attached to the Plan is a set of Notes which shows the types of uses or developments which are always permitted within the Area and in particular zones and which may be permitted by the Board, with or without conditions, on application (**Appendix II**). The Notes of the Plan are prepared in accordance with the Master Schedule of Notes to Statutory Plans (the MSN) endorsed by the Board, taking account of local circumstances, and the planning intention of various zones. 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.
- 10.2 In the covering Notes of the Plan, the provision for permitted road and on-street vehicle park in any area shown as 'Road' (as per the MSN) is not included as there is no area shown as 'Road' on the Plan.

11. Consultation

- 11.1 During the course of preparation of the draft Tin Fu Tai OZP, the Planning Department met the Indigenous Village Representative of Tin Fu Chai on 18.7.2012 and 5.9.2012 and sought his views on the land use planning of the Area. His views have been duly considered in the preparation of the draft Tin Fu Tai OZP.
- 11.2 The Plan together with its Notes and Explanatory Statement (ES) and the Planning Report have been circulated to relevant Government bureau and departments for comment. Comments received have been incorporated into the Plan, its Notes and ES (**Appendices I, II and III**) and the Planning Report (**Appendix IV**) as appropriate.
- 11.3 Subject to the agreement of the Board, the draft Tin Fu Tsai OZP No. S/TM-TFT/B together with its Notes and ES will be submitted to the TMDC, TMRC and YLDC for consultation. Comments from the TMDC, TMRC and YLDC will be submitted to the Board for further consideration prior to publication of the draft OZP under section 5 of the Ordinance.

12. Decision Sought

Members are invited to:

- (a) consider the draft Tin Fu Tsai Outline Zoning Plan No. S/TM-TFT/B (**Appendix I**) together with its Notes and ES (**Appendices II and III**) and the Planning Report (**Appendix IV**);
- (b) adopt the ES as an expression of the planning intention and objectives of the Board for various land use zonings of the draft Tin Fu Tsai Outline Zoning Plan No. S/TM-TFT/B; and
- (c) agree that the draft Tin Fu Tsai Outline Zoning Plan No. S/TM-TFT/B together with its Notes and ES (**Appendices I to III**) are suitable for submission of the TMDC, TMRC and YLDC for consultation.

13. Attachments

Drawing 1	Recommended Conservation Area
Plan 1	Approved Tin Fu Tsai Development Permission Area Plan No. DPA/TM-TFT/2 (reduce-sized plan only)
Plan 2	Location Plan
Plan 3	Site Plan
Plan 4	Aerial Photo
Plan 5	Existing Land Uses
Plan 6	Water Gathering Ground
Plan 7	Landscape Value
Plan 8	Existing Physical Features
Plan 9	Development Constraints
Plan 10	Land Ownership and 'Village Environs'
Plans 11a to 11b	Land Use Proposals
Appendix I	Draft Tin Fu Tsai Outline Zoning Plan No. S/TM-TFT/B
Appendix II	Notes of the draft Tin Fu Tsai Outline Zoning Plan No. S/TM-TFT/B
Appendix III	Explanatory Statement of the draft Tin Fu Tsai Outline Zoning Plan No. S/TM-TFT/B
Appendix IV	Planning Report on Tin Fu Tsai

**PLANNING DEPARTMENT
OCTOBER 2013**



Figure 1: Slope in good condition

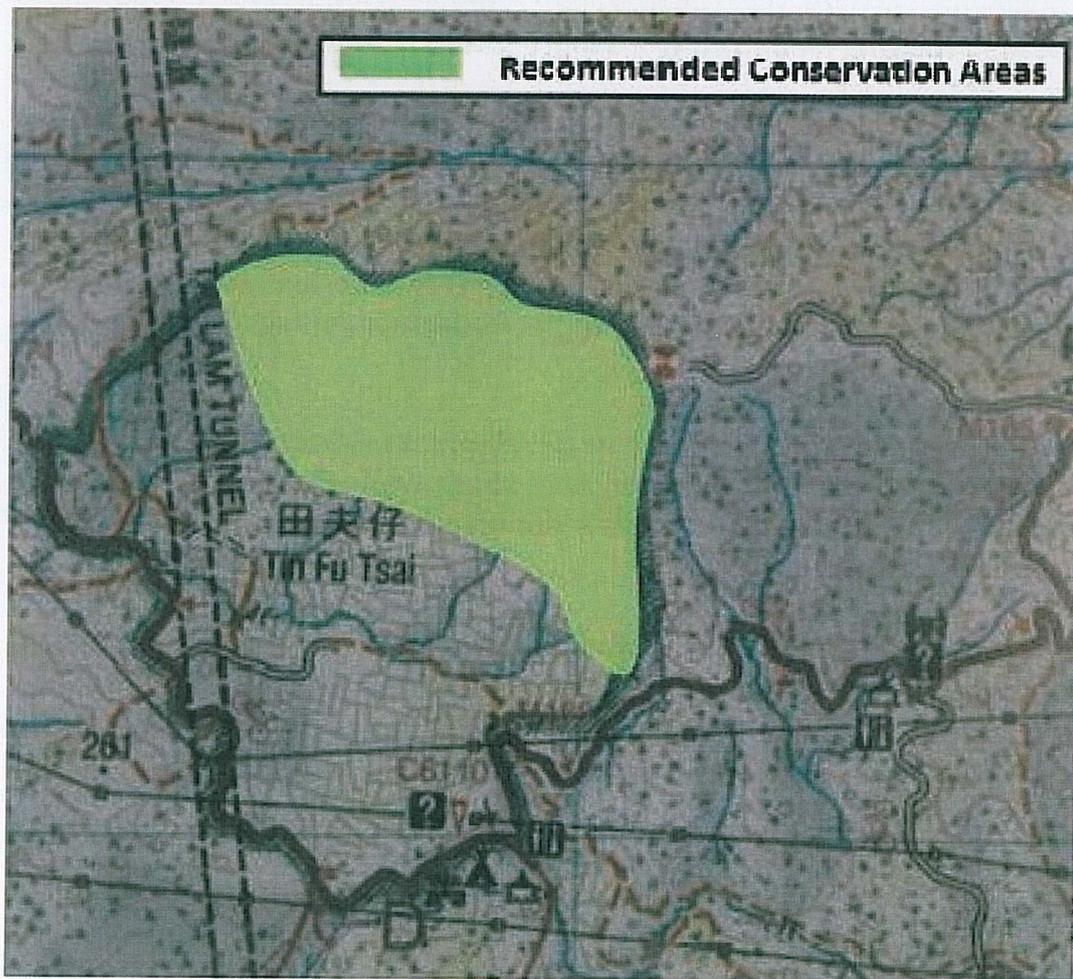
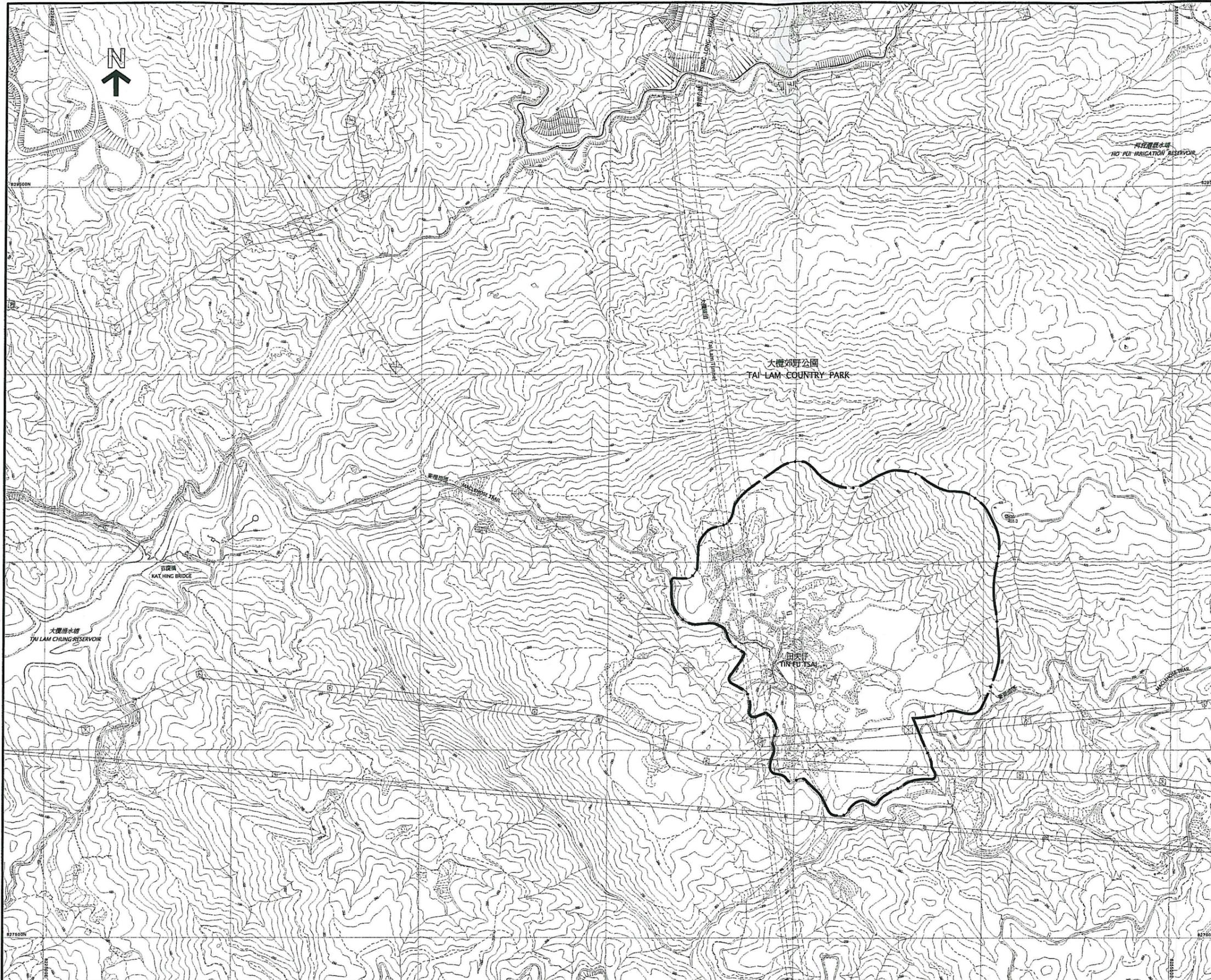


Figure 2: Proposed Recommendation



圖例
NOTATION

MISCELLANEOUS		其他
BOUNDARY OF DEVELOPMENT PERMISSION AREA	— • —	發展審批地區界線
BOUNDARY OF COUNTRY PARK	— · —	郊野公園界線

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	
UNSPECIFIED USE	54.50	100.00	非指定用途
TOTAL AREA OF DEVELOPMENT PERMISSION AREA	54.50	100.00	發展審批地區總面積

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2011年12月6日 根據城市
規劃條例第9(1)(a)條核准的圖則
APPROVED BY THE CHIEF EXECUTIVE IN COUNCIL UNDER
SECTION 9(1)(a) OF THE TOWN PLANNING ORDINANCE ON
6 DECEMBER 2011

Ms Manda CHAN 陳詠雯女士
CLERK TO THE EXECUTIVE COUNCIL 行政會議秘書

田夫仔發展審批地區圖
TIN FU TSAI DEVELOPMENT PERMISSION AREA PLAN

SCALE 1:5,000 比例尺
METRES 100 0 200 400 600 METRES

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

圖則編號
PLAN No. DPA/TM-TFT/2



 PLANNING SCHEME AREA

LOCATION PLAN

TIN FU TSAI

PLANNING
DEPARTMENT



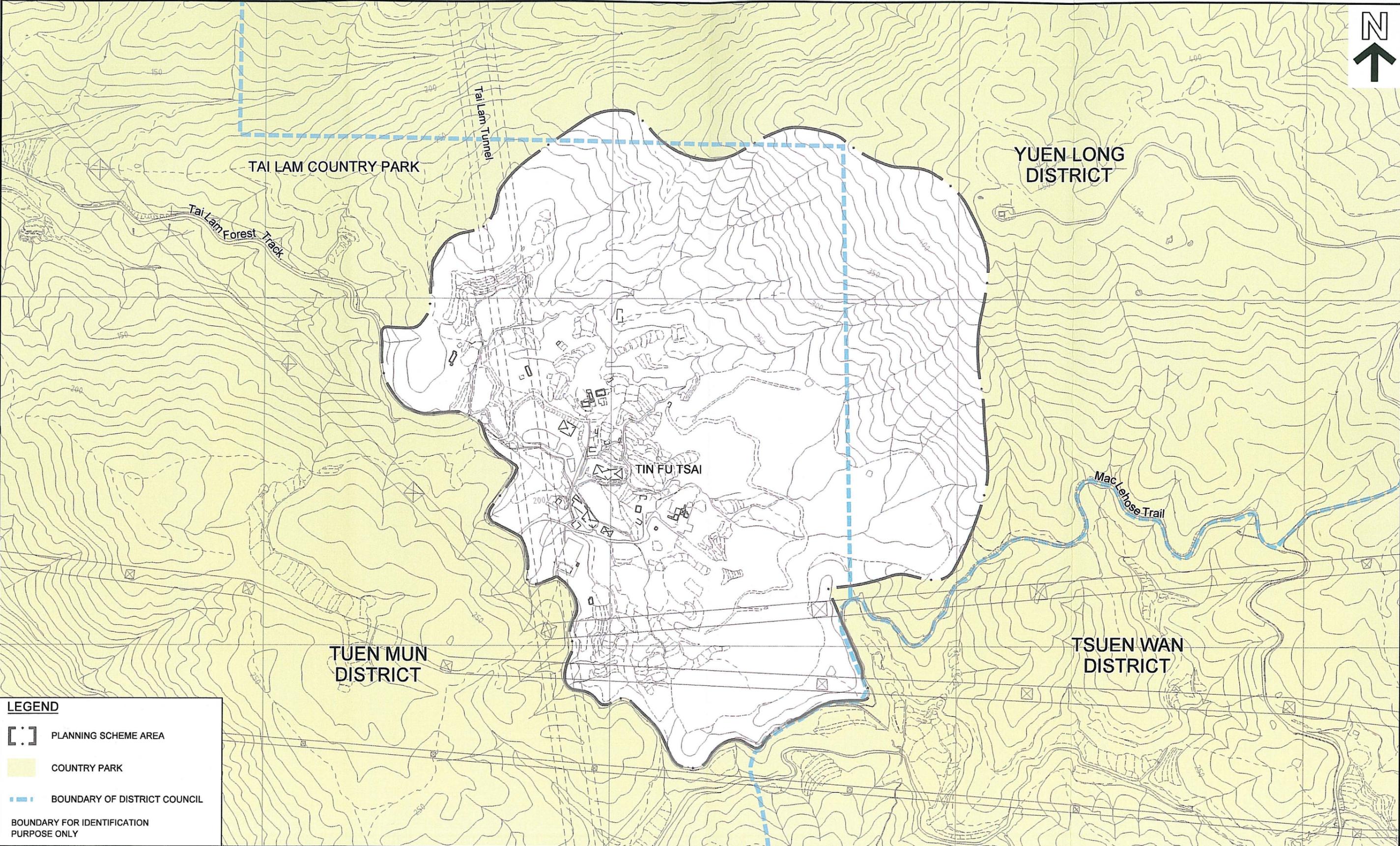
EXTRACT PLAN PREPARED ON 14.8.2013
BASED ON SURVEY SHEET SERIES HM100C

SCALE 1 : 100 000



REFERENCE No.
M/TM/13/161

PLAN
2



LEGEND

-  PLANNING SCHEME AREA
-  COUNTRY PARK
-  BOUNDARY OF DISTRICT COUNCIL
-  BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

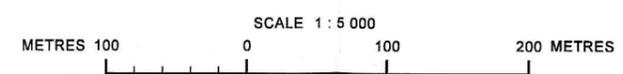
平面圖 SITE PLAN

TIN FU TSAI

PLANNING DEPARTMENT

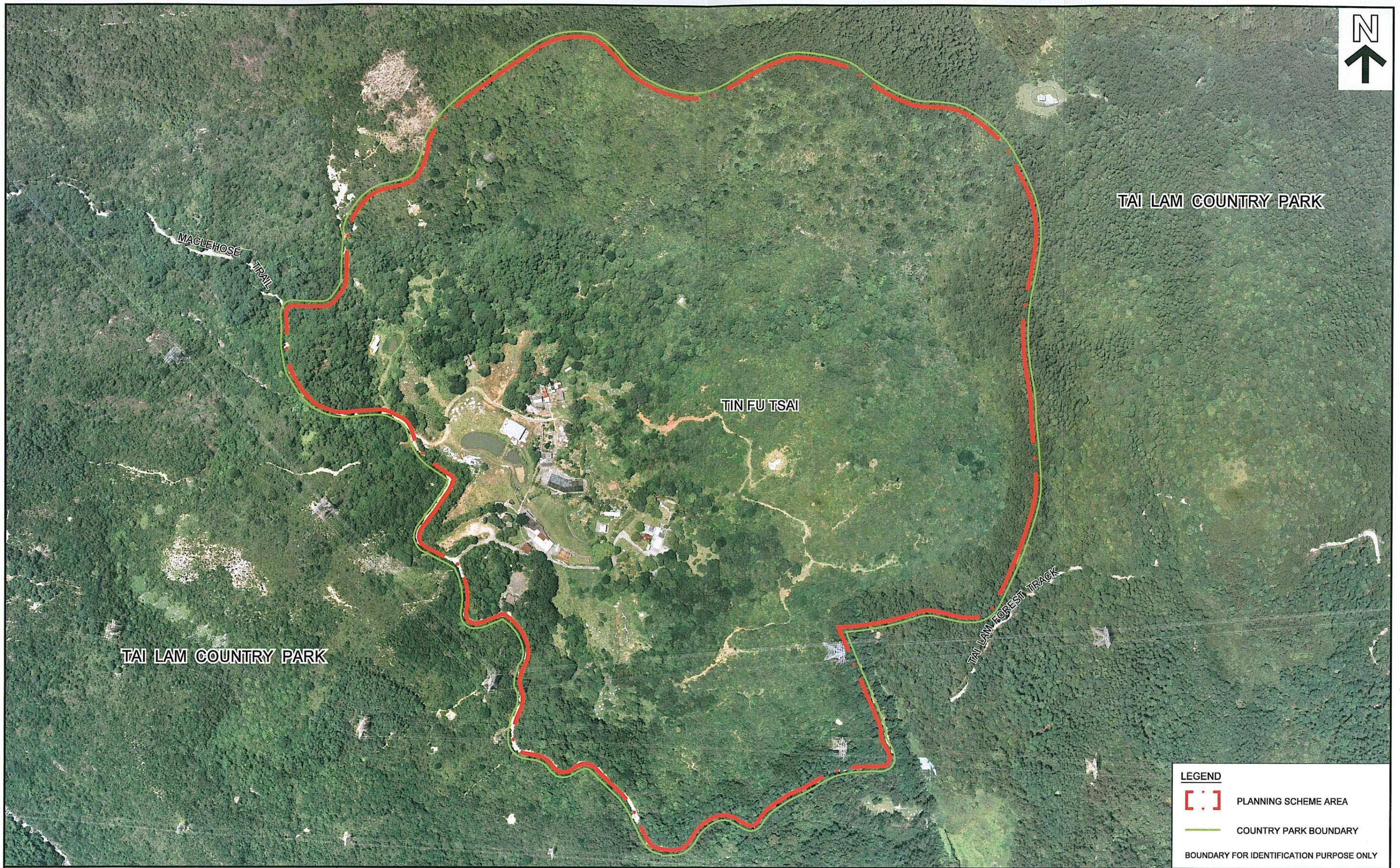


EXTRACT PLAN PREPARED ON 16.8.2013
BASED ON SURVEY SHEETS No.
6-SE-1D, 2C, D, 3C, 6B, 7A, B, C, D & 8A



REFERENCE No.
M/TM/13/161

PLAN
3



LEGEND

[- -] PLANNING SCHEME AREA

— COUNTRY PARK BOUNDARY

BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

EXTRACT PLAN PREPARED ON 15.8.2013
 BASED ON AERIAL PHOTO No.
 CS37066, CS37068, CS37221, CS37222
 TAKEN ON 30.7.2012 BY LANDS DEPARTMENT

AERIAL PHOTO

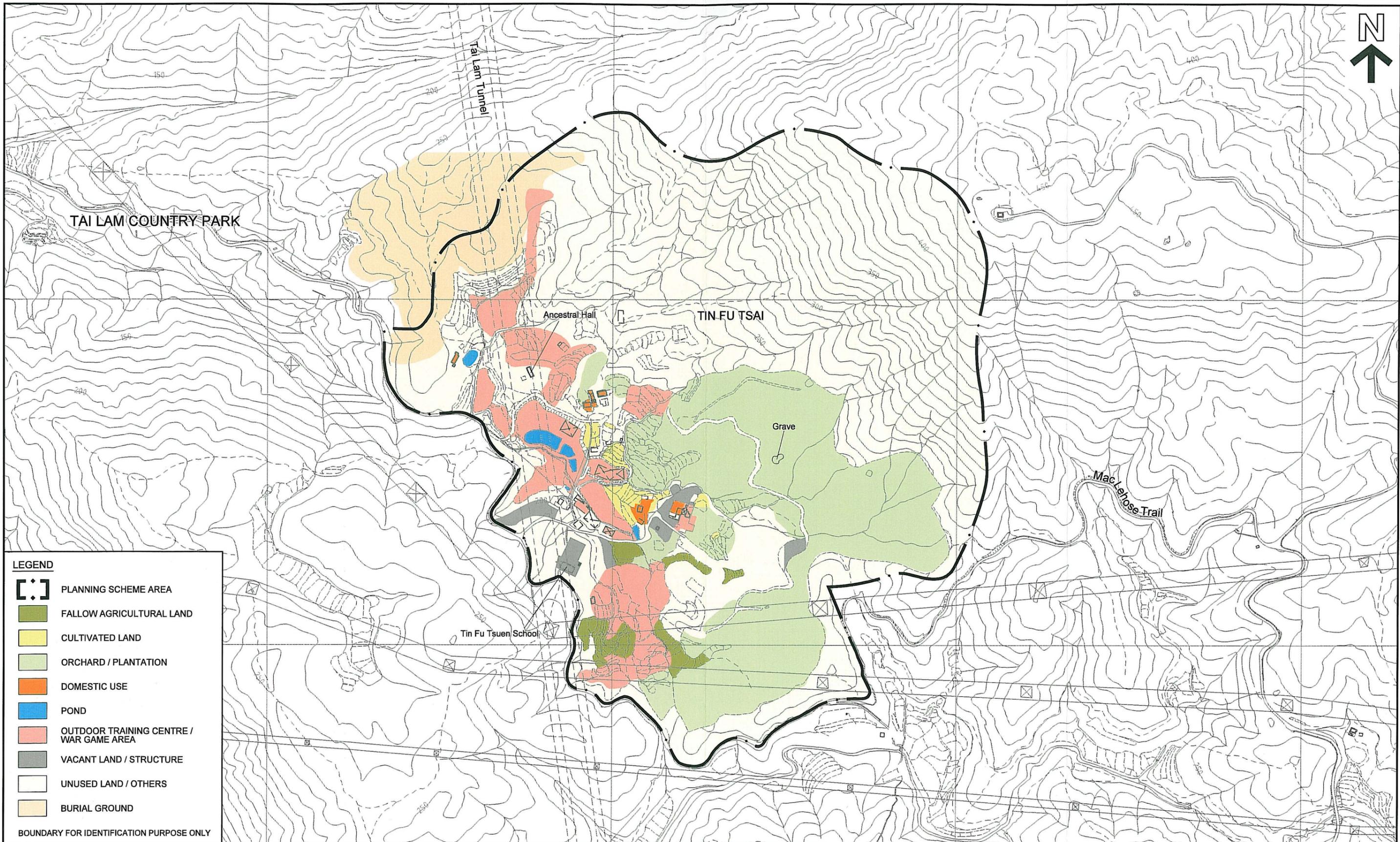
TIN FU TSAI

PLANNING DEPARTMENT



REFERENCE No.
 M/TM/13/161

PLAN
 4



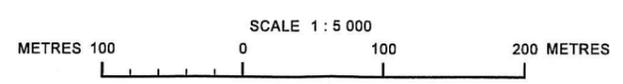
LEGEND

-  PLANNING SCHEME AREA
-  FALLOW AGRICULTURAL LAND
-  CULTIVATED LAND
-  ORCHARD / PLANTATION
-  DOMESTIC USE
-  POND
-  OUTDOOR TRAINING CENTRE / WAR GAME AREA
-  VACANT LAND / STRUCTURE
-  UNUSED LAND / OTHERS
-  BURIAL GROUND

BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

EXISTING LAND USES

TIN FU TSAI



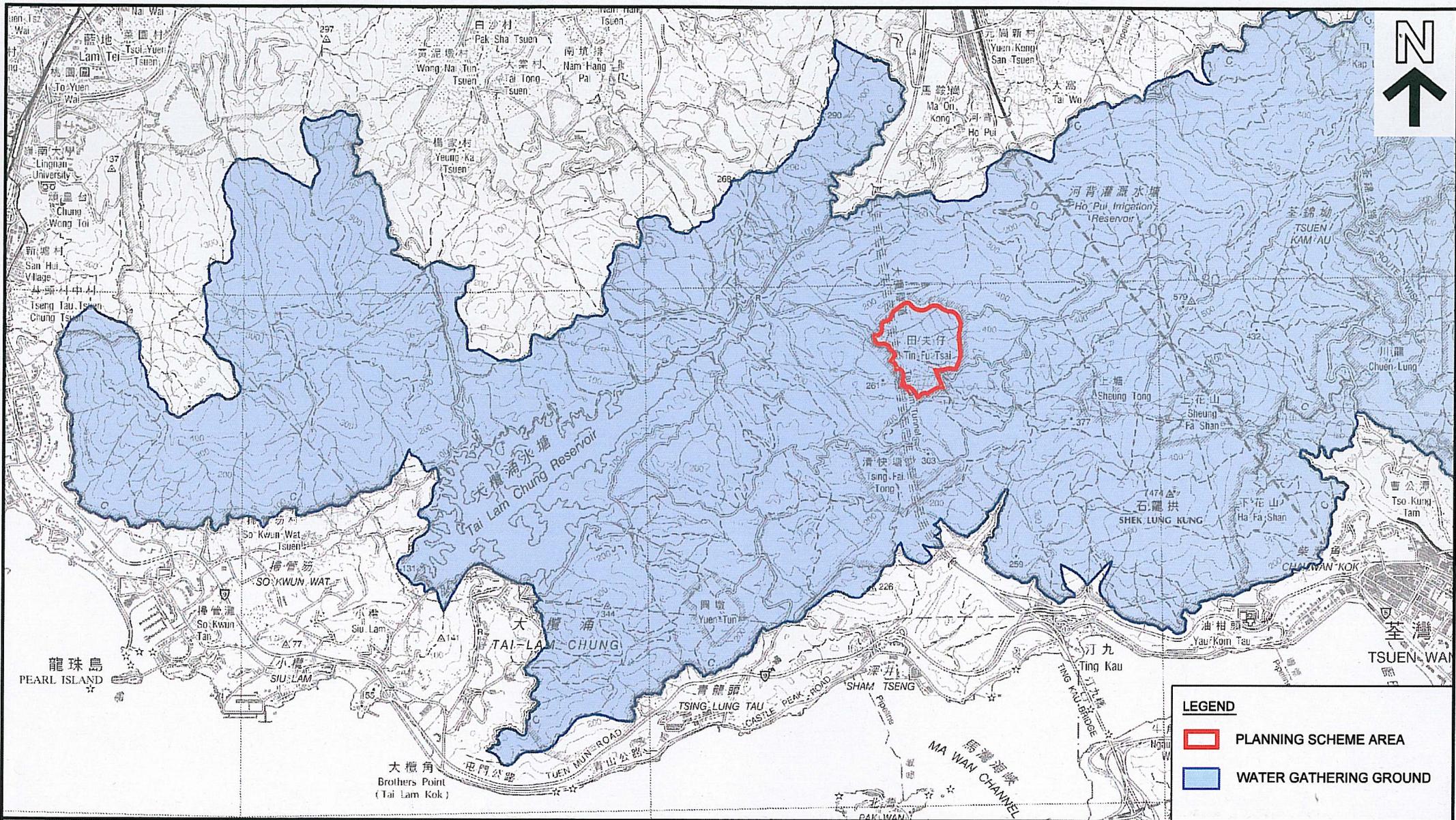
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6-SE-1D, 2C, 2D, 3C, 6B, 6D, 7A, 7B, 7C, 7D, 8A & 8C

PLANNING DEPARTMENT



REFERENCE No.
M/TM/13/161

Plan
5

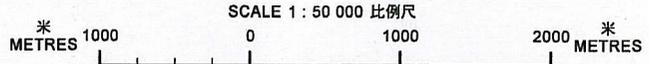


LEGEND

- PLANNING SCHEME AREA
- WATER GATHERING GROUND

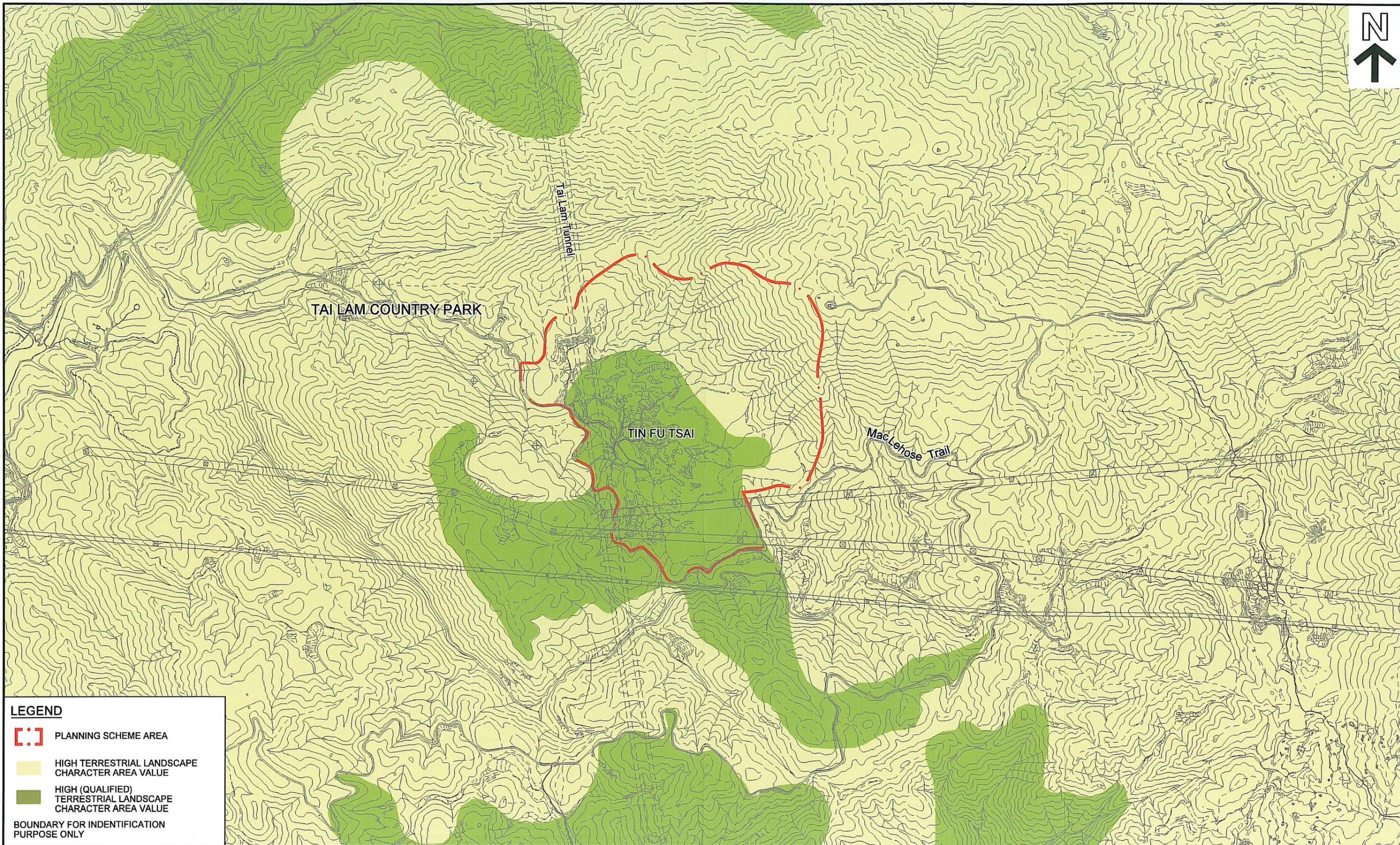
EXTRACT PLAN PREPARED ON 9.8.2013
 BASED ON SHEETS No. 1
 IN SERIES HM50C

WATER GATHERING GROUND
TIN FU TSAI



PLANNING DEPARTMENT

REFERENCE No. M/TM/13/161	PLAN 6
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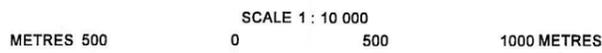
LEGEND

- PLANNING SCHEME AREA
- HIGH TERRESTRIAL LANDSCAPE CHARACTER AREA VALUE
- HIGH (QUALIFIED) TERRESTRIAL LANDSCAPE CHARACTER AREA VALUE
- BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

LANDSCAPE VALUE

TIN FU TSAI

EXTRACT PLAN PREPARED ON 8.8.2013
 BASED ON SURVEY SHEETS No.
 6-SE-1A, 1B, 1C, 1D, 2A, 2B, 2C, 2D, 3A, 3B, 3C, 3D, 6A, 6B, 6C, 6D,
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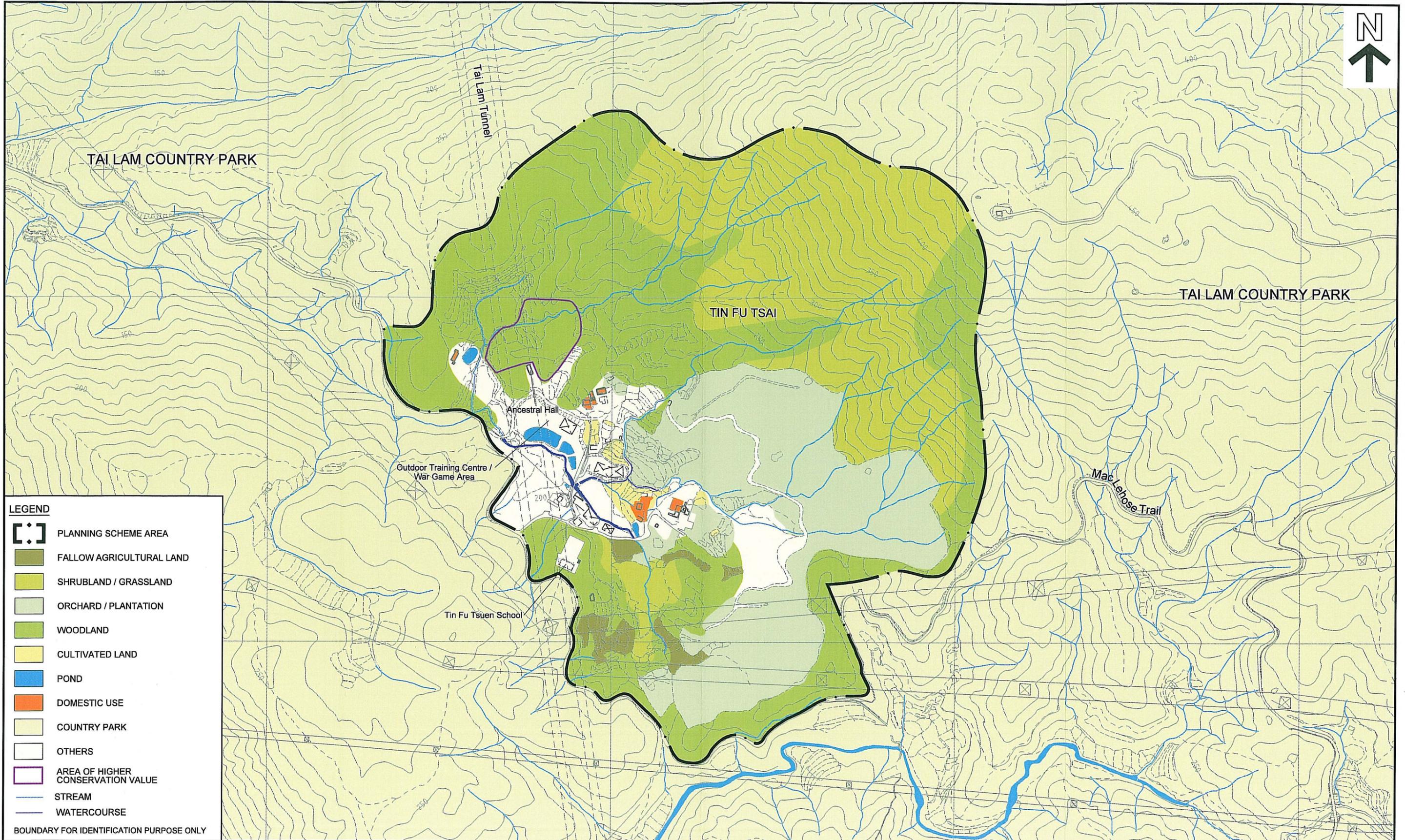


PLANNING DEPARTMENT



REFERENCE No.
 M/TM/13/161

PLAN
 7



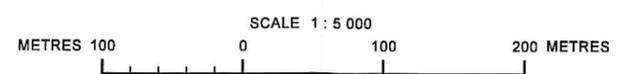
LEGEND

-  PLANNING SCHEME AREA
-  FALLOW AGRICULTURAL LAND
-  SHRUBLAND / GRASSLAND
-  ORCHARD / PLANTATION
-  WOODLAND
-  CULTIVATED LAND
-  POND
-  DOMESTIC USE
-  COUNTRY PARK
-  OTHERS
-  AREA OF HIGHER CONSERVATION VALUE
-  STREAM
-  WATERCOURSE

BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

EXISTING PHYSICAL FEATURES

TIN FU TSAI



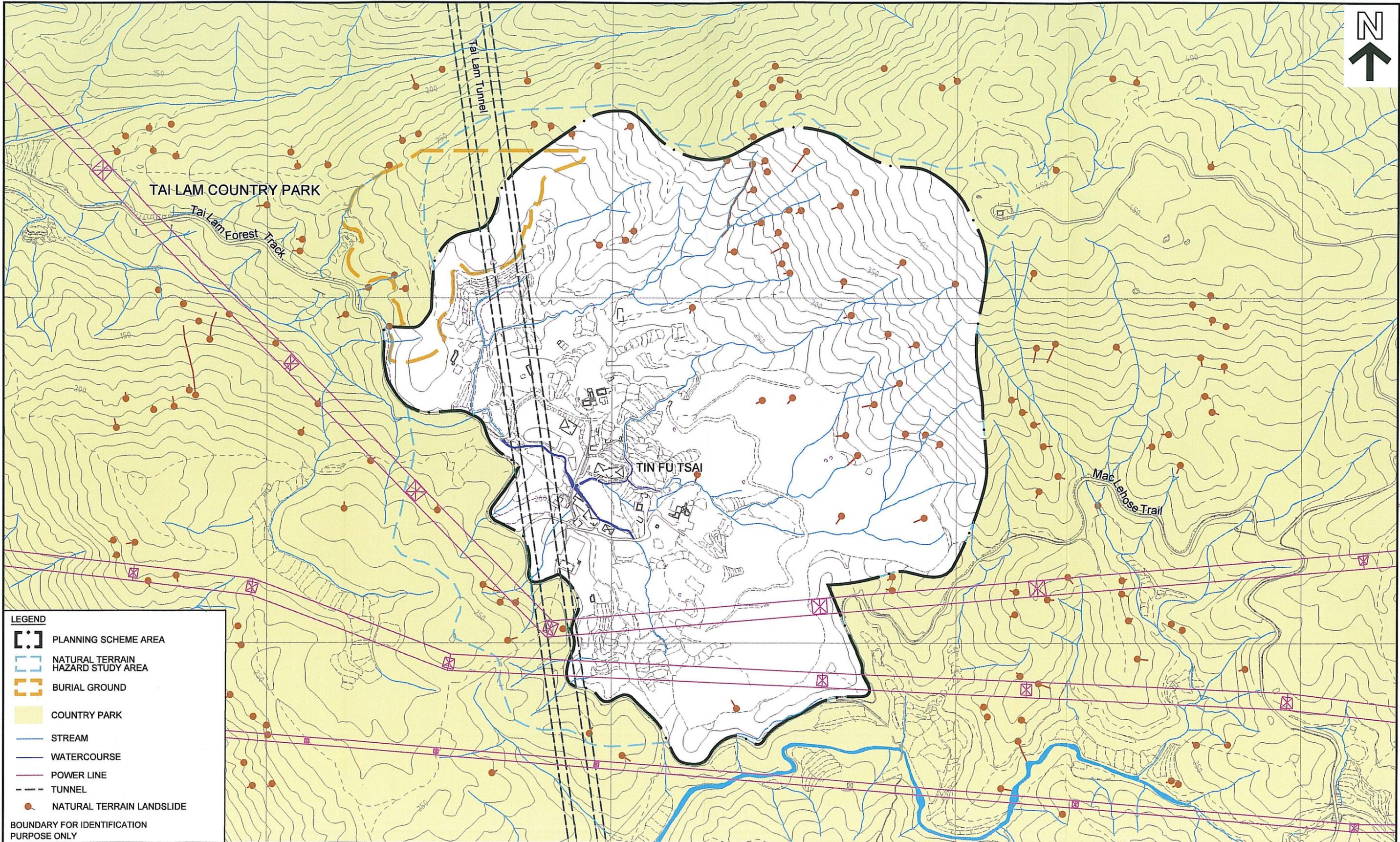
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BASED ON SURVEY SHEETS No.
6-SE-1D, 2C, 2D, 3C, 6B, 6D, 7A, 7B, 7C, 7D, 8A & 8C

PLANNING DEPARTMENT



REFERENCE No.
M/TM/13/161

PLAN
8



LEGEND

-  PLANNING SCHEME AREA
-  NATURAL TERRAIN HAZARD STUDY AREA
-  BURIAL GROUND
-  COUNTRY PARK
-  STREAM
-  WATERCOURSE
-  POWER LINE
-  TUNNEL
-  NATURAL TERRAIN LANDSLIDE

BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

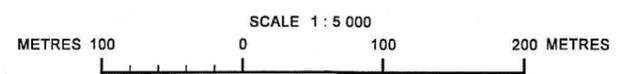
DEVELOPMENT CONSTRAINTS

TIN FU TSAI

PLANNING DEPARTMENT

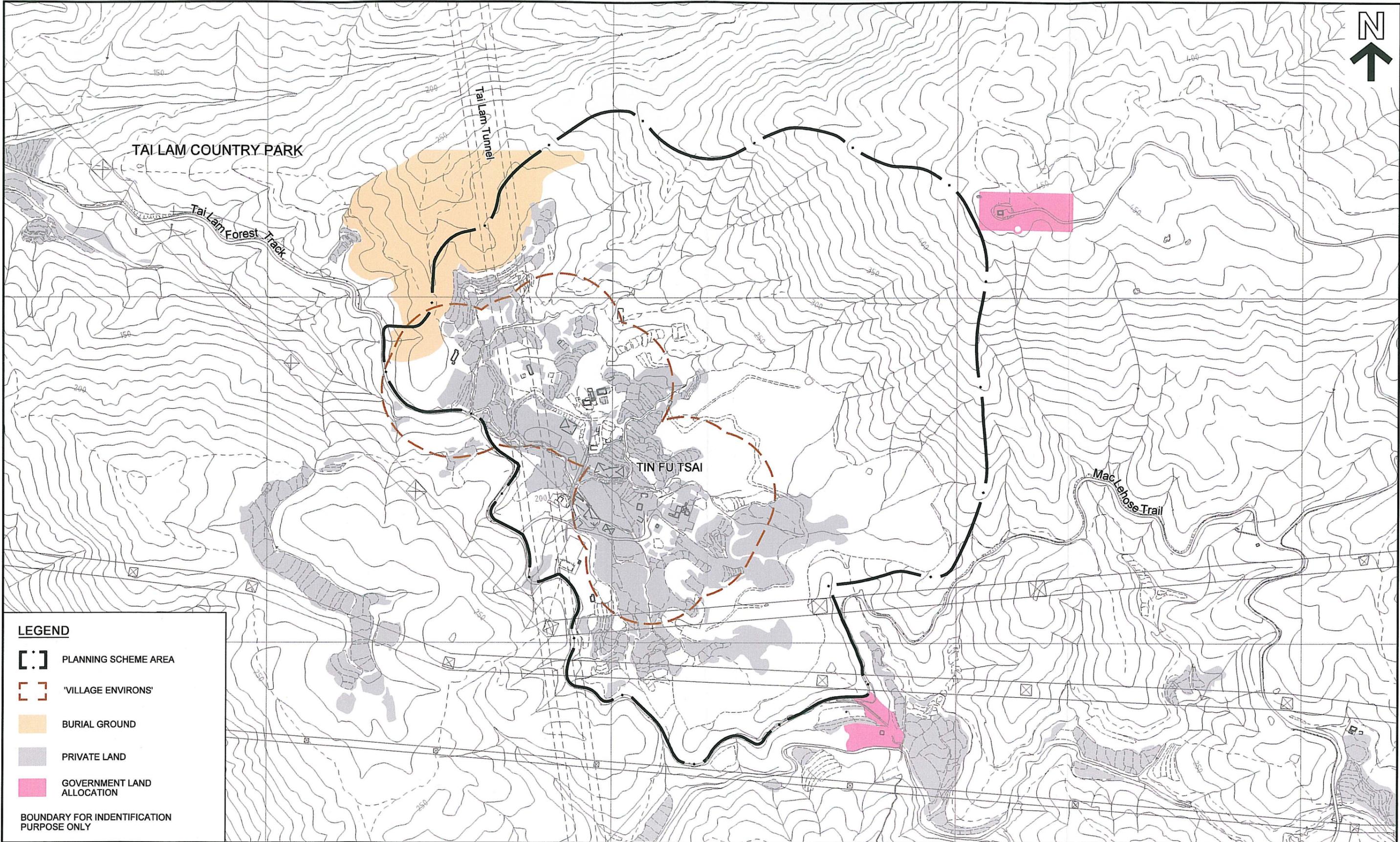


EXTRACT PLAN PREPARED ON 23.8.2013
BASED ON SURVEY SHEETS No.
6-SE-1D, 2C, 2D, 3C, 6B, 6D, 7A, 7B, 7C, 7D, 8A & 8C



REFERENCE No.
M/TM/13/161

PLAN
9



LEGEND

-  PLANNING SCHEME AREA
-  'VILLAGE ENVIRONS'
-  BURIAL GROUND
-  PRIVATE LAND
-  GOVERNMENT LAND ALLOCATION
-  BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

LAND OWNERSHIP AND 'VILLAGE ENVIRONS'

TIN FU TSAI

PLANNING DEPARTMENT

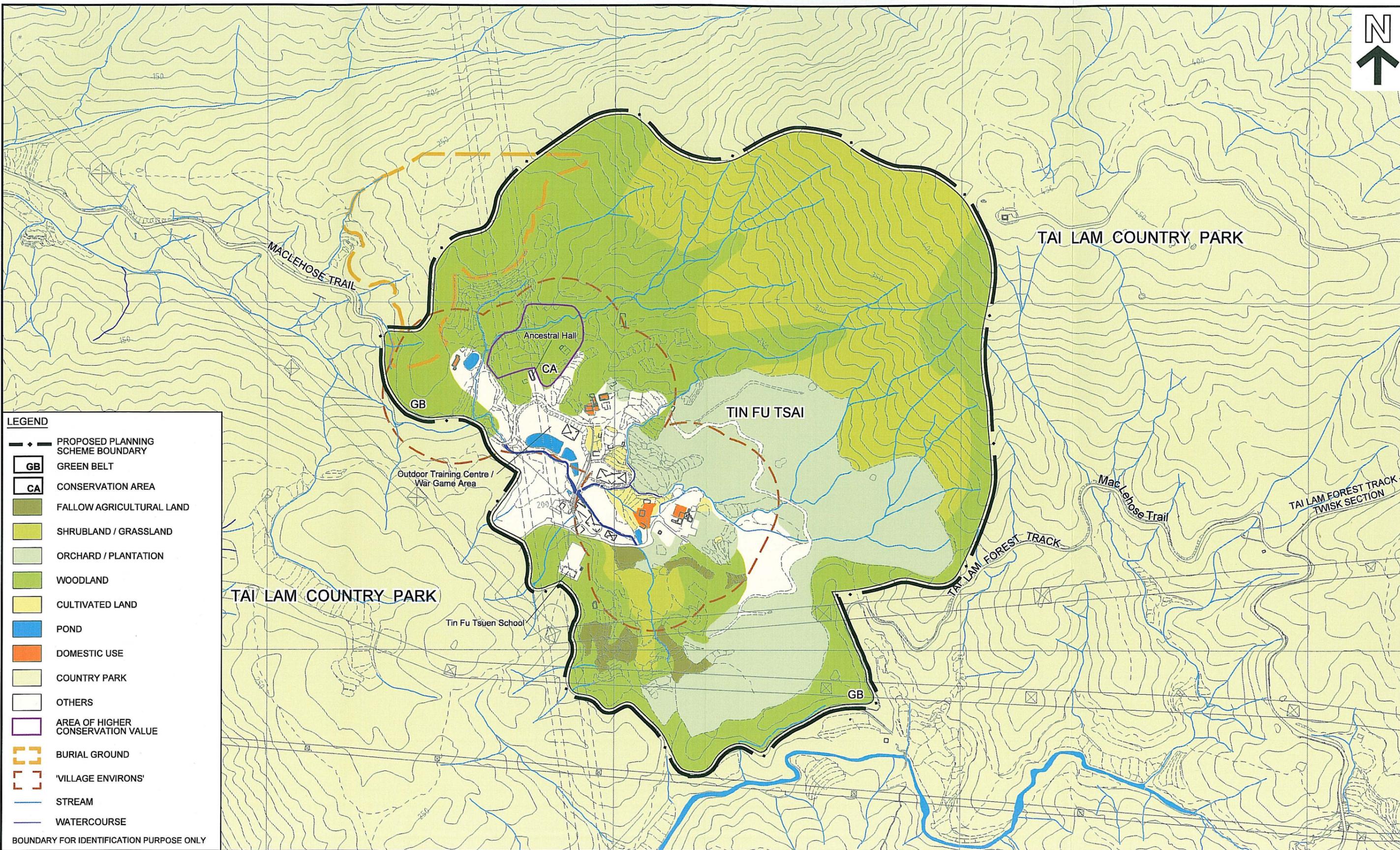


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BASED ON SURVEY SHEETS No.
6-SE-1D, 2C, 2D, 3C, 6B, 6D, 7A, 7B, 7C, 7D, 8A & 8C



REFERENCE No.
M/TM/13/161

PLAN
10



LEGEND

	PROPOSED PLANNING SCHEME BOUNDARY
	GREEN BELT
	CONSERVATION AREA
	FALLOW AGRICULTURAL LAND
	SHRUBLAND / GRASSLAND
	ORCHARD / PLANTATION
	WOODLAND
	CULTIVATED LAND
	POND
	DOMESTIC USE
	COUNTRY PARK
	OTHERS
	AREA OF HIGHER CONSERVATION VALUE
	BURIAL GROUND
	'VILLAGE ENVIRONS'
	STREAM
	WATERCOURSE
	BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

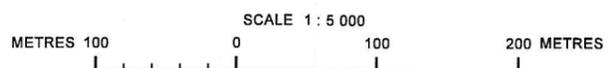
LAND USE PROPOSALS

TIN FU TSAI

PLANNING DEPARTMENT

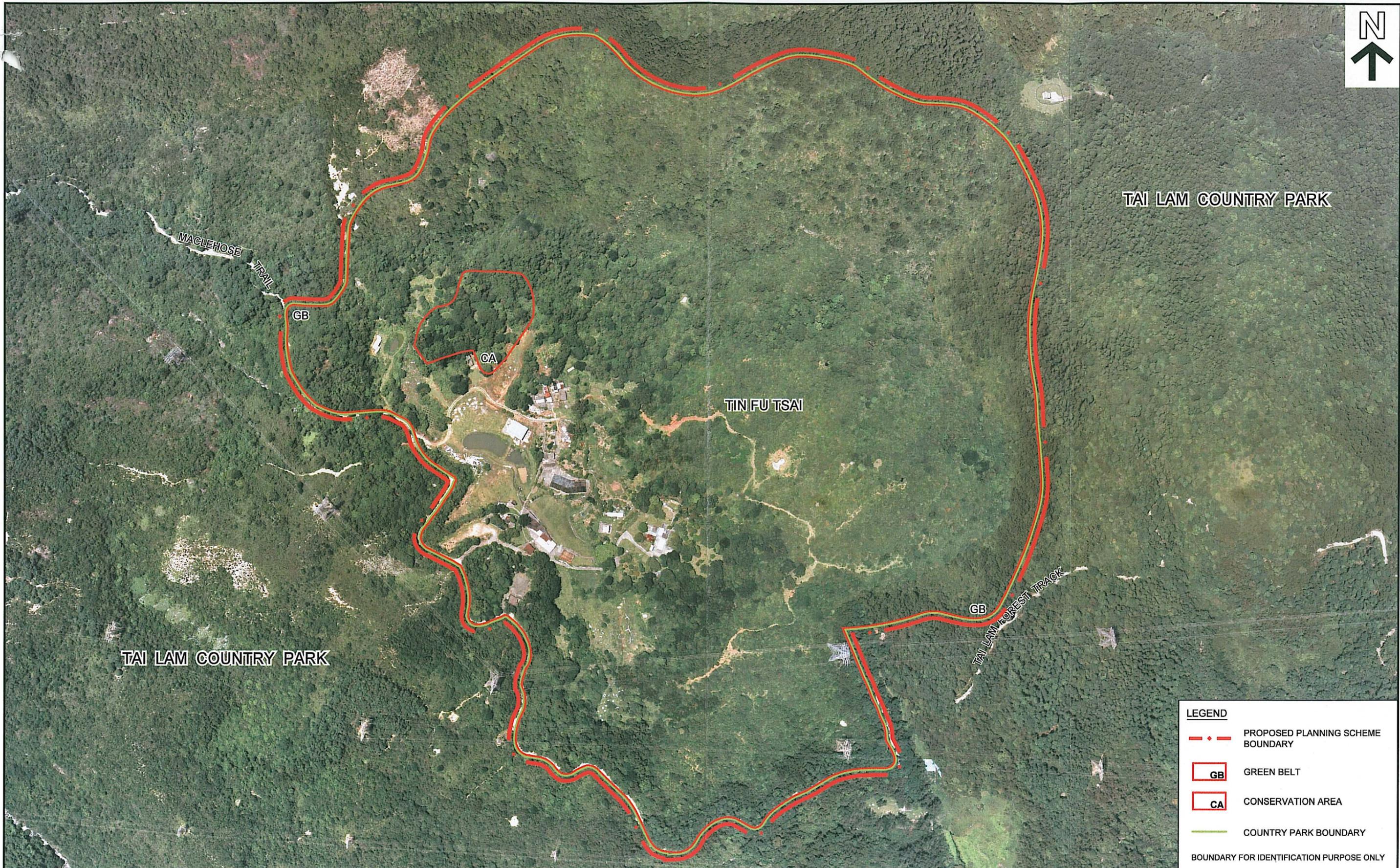


EXTRACT PLAN PREPARED ON 2.10.2013
 BASED ON SURVEY SHEETS No.
 6-SE-1D, 2C, 2D, 3C, 6B, 6D, 7A, 7B, 7C, 7D, 8A & 8C



REFERENCE No.
 M/TM/13/161

PLAN
 11a



LEGEND	
	PROPOSED PLANNING SCHEME BOUNDARY
	GREEN BELT
	CONSERVATION AREA
	COUNTRY PARK BOUNDARY
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY	

EXTRACT PLAN PREPARED ON 2.10.2013
 BASED ON AERIAL PHOTO No.
 CS37066, CS37068, CS37221, CS37222
 TAKEN ON 30.7.2012 BY LANDS DEPARTMENT

LAND USE PROPOSALS

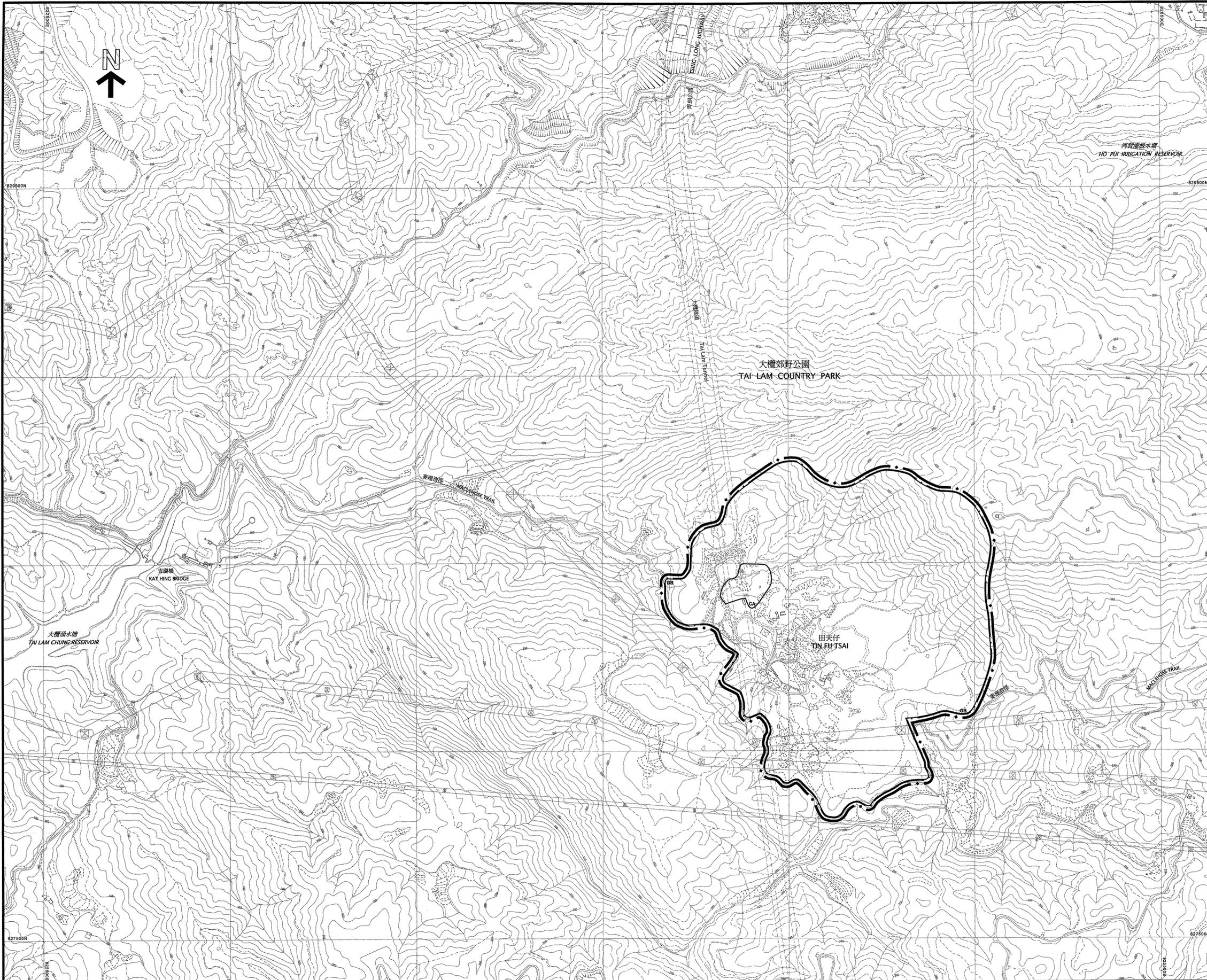
TIN FU TSAI

PLANNING DEPARTMENT



REFERENCE No.
M/TM/13/161

PLAN
11b



圖例
NOTATION

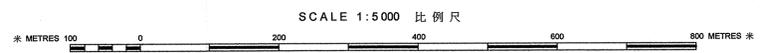
- ZONES**
- GREEN BELT GB 綠化地帶
 - CONSERVATION AREA CA 自然保育區
- MISCELLANEOUS**
- BOUNDARY OF PLANNING SCHEME 規劃範圍界線
 - BOUNDARY OF COUNTRY PARK / SPECIAL AREA 郊野公園 / 特別地區界線

土地用途及面積一覽表
SCHEDULE OF USES AND AREAS

USES	大約面積及百分比 APPROXIMATE AREA & %		用途
	公頃 HECTARES	% 百分比	
GREEN BELT	53.43	98.04	綠化地帶
CONSERVATION AREA	1.07	1.96	自然保育區
TOTAL PLANNING SCHEME AREA	54.50	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

香港城市規劃委員會依據城市規劃條例擬備的田夫仔分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
TIN FU TSAI - 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/TM-TFT/B**

DRAFT TIN FU TSAI OUTLINE ZONING PLAN NO. S/TM-TFT/B

(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) Boundaries between zones may be subject to minor adjustments as detailed planning proceeds.
- (8) The following uses or developments are always permitted on land falling within the boundaries of the Plan except (a) where the uses or developments are specified in Column 2 of the Notes of individual zones or (b) as provided in paragraph (9) in relation to areas zoned “Conservation Area”:
 - (a) maintenance, repair or demolition of a building;
 - (b) provision, maintenance or repair of plant nursery, amenity planting, open space, rain shelter, refreshment kiosk, footpath, bus/public light bus stop or lay-by, cycle track, taxi rank, public utility pipeline, electricity mast, lamp pole, telephone booth, telecommunications radio base station, automatic teller machine and shrine;
 - (c) maintenance or repair of 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 “Conservation Area”,
 - (a) the following uses or developments are always permitted:
 - (i) maintenance or repair of plant nursery, amenity planting, sitting out area, rain shelter, refreshment kiosk, road, watercourse, nullah, public utility pipeline, electricity mast, lamp pole, telephone booth, shrine and grave;
 - (ii) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities, waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government; and
 - (iii) provision of amenity planting by Government; and

- (b) the following uses or developments require permission from the Town Planning Board:

provision of plant nursery, amenity planting (other than by Government), sitting out area, rain shelter, refreshment kiosk, footpath, public utility pipeline, electricity mast, lamp pole, telephone booth and shrine.

- (10) (a) Except in areas zoned “Conservation Area”, temporary use or development of any land or building not exceeding a period of two months is always permitted provided that no site formation (filling or excavation) is carried out and that the use or development is a use or development specified below:

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

- (b) Except as otherwise provided in paragraph (10)(a), and subject to temporary uses for open storage and port back-up purposes which are prohibited in areas zoned “Conservation Area”, temporary use or development of any land or building not exceeding a period of three years requires permission from the Town Planning Board. Notwithstanding that the use or development is not provided for in terms of the Plan, the Town Planning Board may grant permission, with or without conditions, for a maximum period of three years, or refuse to grant permission.

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

- (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).

DRAFT TIN FU TSAI OUTLINE ZONING PLAN NO. S/TM-TFT/B

Schedule of Uses

	<u>Page</u>
Green Belt	1
Conservation Area	3

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

(Please see next page)

GREEN BELT (Cont'd)

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.

Remarks

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

CONSERVATION AREA

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

Planning Intention

This zoning is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as 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 stream, 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 TIN FU TSAI OUTLINE ZONING PLAN NO. S/TM-TFT/B
EXPLANATORY STATEMENT**

DRAFT TIN FU TSAI OUTLINE ZONING PLAN NO. S/TM-TFT/B

EXPLANATORY STATEMENT

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2. AUTHORITY FOR THE PLAN AND PROCEDURE	1
3. OBJECT OF THE PLAN	1
4. NOTES OF THE PLAN	2
5. THE PLANNING SCHEME AREA	2
6. POPULATION	3
7. OPPORTUNITIES AND CONSTRAINTS	3
8. GENERAL PLANNING INTENTION	4
9. LAND USE ZONINGS	5
9.1 Green Belt	5
9.2 Conservation Area	5
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DRAFT TIN FU TSAI OUTLINE ZONING PLAN NO. S/TM-TFT/B

(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 Tin Fu Tsai Outline Zoning Plan No. S/TM-TFT/B. It reflects the planning intention and objectives of the Town Planning Board (the Board) for the Plan.

2. AUTHORITY FOR THE PLAN AND PROCEDURE

2.1 On 13 December 2010, under the power delegated by the Chief Executive, 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 the Tin Fu Tsai area as a development permission area (DPA).

2.2 On 7 January 2011, the draft Tin Fu Tsai DPA Plan No. DPA/TM-TFT/1 was exhibited for public inspection under section 5 of the Ordinance.

2.3 On 6 December 2011, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Tin Fu Tsai DPA Plan, which was subsequently renumbered as DPA/TM-TFT/2. On 16 December 2011, the approved Tin Fu Tsai DPA Plan No. DPA/TM-TFT/2 was exhibited for public inspection under section 9(5) of the Ordinance.

2.4 On 30 January 2013, under the power delegated by the Chief Executive, the Secretary for Development directed the Board, under section 3(1)(a) of the Ordinance, to prepare an outline zoning plan for the Tin Fu Tsai area.

2.5 On _____ 2013, the draft Tin Fu Tsai Outline Zoning Plan No. S/TM-TFT/B (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 Tin Fu Tsai area so that development and redevelopment within the area can be put under statutory planning control. It also provides the planning framework for preparing more detailed non-statutory plans which form the basis for public works planning and site reservation for various uses.

3.2 The Plan is to illustrate the broad principles of development and control only. It is a small scale plan and the 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 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 developments 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 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) is located at Tin Fu Tsai and covers an area of about 54.50 ha. It is completely encircled by Tai Lam Country Park. It is about 1.7 kilometres (km) to the southwest of Ho Pui Irrigation Reservoir, and about 1.8 km to the east of the upper end of Tai Lam Chung Reservoir and Kat Hing Bridge. Tai Lam Tunnel runs through the western part of the Area underground in a north-south direction. The Area falls mainly within the Tuen Mun district, and partly within the Yuen Long district. The boundary of the Area is shown by a heavy broken line on the Plan.
- 5.2 The Area is rural and natural in character. It is surrounded by vegetated hill slopes of Tai Lam Country Park. The eastern, southern and central parts of the Area mainly comprise flat or gently sloping land with orchards/planted trees and some fallow agricultural land covered with trees, shrubs and grass. The western part of the Area comprises gentle slopes with trees at the periphery. In the northwestern part of the Area, along the toe of the hill slopes is a woodland, and some of the trees are on previously fallow agricultural land. The woodland extends to the upper and steeper hill slopes in the northwestern part of the Area. The northern and northeastern parts of the Area comprise steeper naturally vegetated hill slopes rising to a higher altitude. The higher hill slopes are generally covered by shrubs and grass, while trees concentrate at the toe of these hill slopes and along the streams flowing down these slopes. These streams converge to a west-flowing branched watercourse near the central and at the southwestern parts of the Area. A few ponds are near the watercourse at the southwestern part of the Area. The southwestern part of the Area has generally been used for an outdoor training centre. Some war game areas stretch from the southwestern part to the northwestern part of the Area. A few village type houses are in the Area. Some cultivated land is at the southwestern part of the Area. An ancestral hall is in the northwestern part of the Area.
- 5.3 Tin Fu Chai (as per the List of Recognized Villages under the New Territories Small House Policy published by the Lands Department), a pre-1898 recognized village, is located within the Area.

5.4 The Area is within a gazetted water gathering ground. According to the Water Supplies Department, the water gathering ground in which the Area locates is classified as upper direct water gathering ground of Tai Lam Chung Reservoir, where water would flow into the reservoir direct. Part of a permitted burial ground is at the northwestern periphery of the Area. In recognition of the traditional burial right of indigenous villagers, that part of burial ground within the Area has been preserved.

6. POPULATION

According to the estimate of the Planning Department, the population of the Area in 2013 is about 20 persons.

7. OPPORTUNITIES AND CONSTRAINTS

7.1 Opportunities

7.1.1 The Area is of rural and natural character and with high landscape value and tranquil environment. According to the Landscape Value Mapping of Hong Kong (2005), the Area is of upland countryside landscape character and the landscape value of the Area is generally rated “High” and “High (Qualified)”. Opportunities should be taken to preserve the rural and natural character as well as the landscape of the Area.

7.1.2 According to the Agriculture, Fisheries and Conservation Department, the habitats in the northwestern part of the Area are largely natural. A wooded area to the north of an ancestral hall is dominated by *Celtis sinensis* and *Machilus pauhoi* and believed to be the remnant of a ‘fung shui’ wood. Numerous individuals of *Pavetta hongkongensis*, which is a species protected under the Forests and Countryside Ordinance (Cap. 96), are also recorded there. Although the understory has been disturbed and signs of war game are noted, the ecological value of the wooded area should recover overtime. This wooded area is of higher conservation value. There is an opportunity to conserve the natural habitats and the wooded area in the northwestern part of the Area.

7.1.3 In addition, other areas with dense tree cover, especially at the periphery of the Area, and the vegetated hillsides with natural streams and diverse aquatic vegetation should be protected as advised by the Agriculture, Fisheries and Conservation Department.

7.2 Constraints

7.2.1 The Area is completely encircled by Tai Lam Country Park. The vehicular access to the Area is through Tai Lam Forest Track, which is a restricted road managed by the Agriculture, Fisheries and Conservation Department. The section of Tai Lam Forest Track near the Area also forms a section of MacLehose Trail and mountain bike

trail for recreation purposes. The section of Tai Lam Forest Track concerned is narrow and without footway. Increased vehicular traffic would cause conflict with the recreation use and safety concerns.

- 7.2.2 The Area is not provided with public water supplies, drainage and sewerage systems. Uses and developments within the Area should pay due regard to these infrastructure constraints.
- 7.2.3 The Area is within an upper direct water gathering ground of Tai Lam Chung Reservoir. According to the Water Supplies Department, Tai Lam Chung Reservoir is a very important reservoir in Hong Kong and pollution of this reservoir will have serious consequences. New development within the Area should be strictly controlled in order to avoid any possible water pollution so as to safeguard the quality of the water sources of the Area. According to the Environmental Protection Department, in general the use of septic tank and soakaway systems for sewage treatment and disposal are not considered acceptable for new village type developments within water gathering ground, especially for sites in close proximity to existing stream courses.
- 7.2.4 There is natural terrain around the Area. Natural terrain is also present in the northern and northeastern parts of the Area. These parts of the Area also comprise steep natural hillsides with past occurrence of landslides. Developments in these parts of the Area are potentially subject to natural terrain hazards. Natural terrain hazard study may be required and suitable hazard mitigation measures shall be provided, if found necessary, as part of the developments. For developments to be located only on the relatively flat areas close to these steep natural hillsides, it is considered that natural terrain hazard study should be extended to cover the steep natural hillsides.
- 7.2.5 There are 400 kV overhead power lines at the southern part of the Area. Uses and developments within the Area should pay due regard to the high voltage overhead power lines.
- 7.2.6 Tai Lam Tunnel runs in a generally north-south direction across the western part of the Area. Uses and developments shall not affect Tai Lam Tunnel.
- 7.2.7 Part of a permitted burial ground is at the northwestern periphery of the Area and the remaining part of it is within Tai Lam Country Park. The area occupied by the burial ground is not suitable for development.

8. GENERAL PLANNING INTENTION

The Area is completely encircled by Tai Lam Country Park and is rural and natural in character. It forms an integral part of the natural habitats/system of the adjoining Tai Lam Country Park. The general planning intention for the Area is to conserve the natural habitats, landscape resources and rural and natural character of the Area.

Developments which would cause adverse impacts on the water quality and water resources of the water gathering ground are not encouraged.

9. LAND USE ZONINGS

9.1 Green Belt (“GB”): Total area: 53.43 ha

- 9.1.1 The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.
- 9.1.2 Apart from the wooded area with higher conservation value in the northwestern part of the Area, all areas are within this zone. This zone also covers part of a permitted burial ground intended to provide burial places for indigenous villagers, which is at the northwestern periphery of the Area.
- 9.1.3 Since there is a general presumption against development within this zone, development in this zone will be strictly controlled. Development proposals will be considered by the Board on individual merits taking into account the relevant Town Planning Board Guidelines.
- 9.1.4 As diversion of stream, filling of land/pond or excavation of land may cause adverse drainage impact on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works.

9.2 Conservation Area (“CA”): Total area: 1.07 ha

- 9.2.1 This zoning is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.
- 9.2.2 A wooded area in the northwestern part of the Area with dense trees is within this zone. According to the Agriculture, Fisheries and Conservation Department, the habitats in this area are largely natural. The wooded area within this zone is dominated by *Celtis sinensis* and *Machilus pauhoi* and believed to be the remnant of a ‘fung shui’ wood. Numerous individuals of *Pavetta hongkongensis*, which is a species protected under the Forests and Countryside Ordinance (Cap. 96), are

also recorded there. This wooded area is of higher conservation value.

9.2.3 New residential development is not permitted under this zone. Redevelopment of existing houses may be permitted on application to the Board. The redevelopment of existing houses 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 in the Gazette of the notice of the draft DPA plan.

9.2.4 Diversion of stream, filling of land/pond or excavation of land may cause adverse drainage impact 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. TRANSPORT AND COMMUNICATION

Road Network and Footpath

The Area is accessible through the paved Tai Lam Forest Track. The track runs through Tai Lam Country Park and a section of it is along the southern and southwestern edges of the Area. Tai Lam Forest Track is a restricted vehicular access managed by the Agriculture, Fisheries and Conservation Department. The track also forms a section of the MacLehose Trail and mountain bike trail. In addition, there are waterworks access roads in the vicinity. The waterworks access roads are restricted vehicular accesses constructed and maintained by the Water Supplies Department solely for inspection and maintenance of waterworks. The waterworks access roads are not constructed to public road standard and the Water Supplies Department has no plan to upgrade or improve them.

11. UTILITY SERVICES

There are no public fresh/potable and salt water supplies to the Area. There are also no public drainage and sewerage systems in the Area. Electricity supply and limited fixed line telecommunication services are available in the Area. Town gas supply is not available.

12. IMPLEMENTATION

12.1 The Plan provides a broad land use framework for development control and implementation of planning proposals. More detailed plans would be prepared when required as a basis for public works planning and private developments.

12.2 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.

- 12.3 Notwithstanding the above, minor improvement works, e.g. laying of utility services, will be implemented through the Public Works Programme, the Rural Public Works, and the Local Public Works subject to priority and resources availability. Private developments will be effected principally through private sector initiatives to develop or redevelop their properties in accordance with the zoned use indicated on the Plan, provided that their proposals meet Government requirements.

13. PLANNING CONTROL

- 13.1 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 uses and developments within the same zone are always permitted and no separate permission is required.
- 13.2 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 the 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.
- 13.3 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 including the guidelines published by the Board. Guidelines published by the Board are available from the Board's website, the Secretariat of the Board and the Technical 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.
- 13.4 Any development, other than those referred to in paragraph 13.1 above or in conformity with the Plan or with the permission of the Board, undertaken or continued on land included in the Plan on or after the date of the first publication in the Gazette of the notice of the draft DPA plan may be subject to enforcement proceedings under the Ordinance. Any diversion of stream, filling of land/pond or excavation of land in the relevant zones on or after the date of the first publication in the Gazette of the notice of the draft DPA plan without permission from the Board may also be subject to enforcement proceedings. Moreover, there is a presumption against diversion of stream

and filling of pond for temporary use or development in conservation-related zonings, such as "Conservation Area".

TOWN PLANNING BOARD
_____ 2013

PLANNING REPORT ON TIN FU TSAI



TUEN MUN & YUEN LONG
DISTRICT PLANNING OFFICE
PLANNING DEPARTMENT
AUG 2013



PLANNING REPORT ON TIN FU TSAI

SEPTEMBER 2013

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1. INTRODUCTION

1.1 Purpose of the Planning Report

The purpose of this Planning Report is to give an account of the background and an appraisal of the existing conditions, characteristics and development requirements of the planning scheme area of Tin Fu Tsai (the Area). It also aims at providing a basis for the preparation of an Outline Zoning Plan (OZP) for the Area and the formulation of a planning framework to guide future development.

1.2 Background

1.2.1 The Area is located at Tin Fu Tsai. It is completely encircled by Tai Lam Country Park. It is to the southwest of Ho Pui Irrigation Reservoir, and to the east of the upper end of Tai Lam Chung Reservoir and Kat Hing Bridge. Tai Lam Tunnel runs through the western part of the Area underground in a north-south direction (**Figure 1**).

1.2.2 On 13.12.2010, under the power delegated by the Chief Executive, 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 the Tin Fu Tsai area as a development permission area (DPA).

1.2.3 On 7.1.2011, the draft Tin Fu Tsai DPA Plan No. DPA/TM-TFT/1 was exhibited for public inspection under section 5 of the Ordinance. During the plan

exhibition period, a total of 7 valid representations and 1 comment were received. After giving consideration to the representations and comment on 15.7.2011, the Board decided not to propose any amendment to the draft DPA plan to meet the representations.

1.2.4 On 6.12.2011, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Tin Fu Tsai DPA Plan, which was subsequently renumbered as DPA/TM-TFT/2 (**Figure 2**). On 16.12.2011, the approved Tin Fu Tsai DPA Plan No. DPA/TM-TFT/2 was exhibited for public inspection under section 9(5) of the Ordinance.

1.2.5 Pursuant to section 20(5) of the Ordinance, the Tin Fu Tsai DPA Plan is effective for three years until 7.1.2014. On 30.1.2013, under the power delegated by the Chief Executive, the Secretary for Development directed the Board, under section 3(1)(a) of the Ordinance, to prepare an OZP for the Area.

2. THE STUDY AREA

2.1 Location

2.1.1 The Area covers an area of about 54.50 ha. The Area is located at Tin Fu Tsai. It is completely encircled by Tai Lam Country Park. It is about 1.7 kilometres (km) to the southwest of Ho Pui Irrigation Reservoir, and about 1.8 km to the east of the upper end of Tai Lam Chung Reservoir and Kat Hing Bridge. Tai Lam

Tunnel runs through the western part of the Area underground in a north-south direction. The location of the Area is shown on **Figure 1**. The Area falls mainly within the Tuen Mun district, and partly within the Yuen Long district (**Figure 3**).

- 2.1.2 The Area is also within a gazetted water gathering ground (**Figure 4**). According to the Water Supplies Department (WSD), the water gathering ground in which the Area locates is classified as upper direct water gathering ground of Tai Lam Chung Reservoir, where water would flow into the reservoir direct.

2.2 Natural Features

Physical Setting and Topography (Figures 5 and 6a)

- 2.2.1 An overview of the Area is shown in **Figure 5**. It is surrounded by vegetated hill slopes of Tai Lam Country Park. The eastern, southern and central parts of the Area mainly comprise flat or gently sloping land. The southwestern part of the Area is generally flat. The western part of the Area comprises gentle slopes with trees at the peripheral. The northwestern, northern and northeastern parts of the Area comprise steeper naturally vegetated hill slopes rising to a higher altitude. The topography of the Area is shown on **Figure 6a**.

Natural Habitats

- 2.2.2 The Area forms an integral part of the natural

vegetation in the adjoining Tai Lam Country Park. The natural habitats include mature woodland, hillside shrubland and grassland, fallow agricultural land and streams.

(a) Stream and Watercourse (**Figures 6a, 6b and 6c**)

Streams are generally flowing from the hill slopes in the northern and the eastern parts of the Area towards the central part of the Area. According to the Agriculture, Fisheries and Conservation Department, the natural streams have diverse aquatic vegetation. These streams converge to a west-flowing branched watercourse near the central and at the southwestern parts of the Area. A few ponds are near the watercourse at the southwestern part of the Area.

(b) Woodland, Shrubland and Grassland (**Figures 5, 6a and 6d**)

- (i) According to the Agriculture, Fisheries and Conservation Department, the habitats in the northwestern part of the Area are largely natural (**Figure 6a**). A wooded area to the north of the existing ancestral hall is dominated by *Celtis sinensis* (朴) and *Machilus pauhoi* (刨花潤楠), and believed to be the remnant of a 'fung shui' wood. Numerous individuals of *Pavetta hongkongensis* (香港大沙葉), which is a species protected under the Forests and

Countryside Ordinance (Cap. 96), are also recorded there. Although the understory has been disturbed and signs of war game are noted, the ecological value of the wooded area should recover overtime. This wooded area is of higher conservation value. The woodland of other trees extends to the upper and steeper hill slopes in the northwestern part of the Area. Other areas with natural trees are mainly along the eastern, southern and western edges of the Area and the natural streams in the northeastern part of the Area.

- (ii) The steep slopes uphill in the northern and northeastern parts of the Area are mainly occupied by common native trees, shrubs and grass (**Figures 5 and 6a**).

(c) Fallow agricultural land (**Figures 6a and 6d**)

Fallow agricultural land is mainly located in the flat land in the southern and southwestern parts of the Area. The fallow agricultural land is currently covered with trees, shrubs and grass. Some of the previously fallow agricultural land in the northwestern part of the Area already becomes part of the woodland there.

2.3 Historical Development

2.3.1 Tin Fu Chai (as per the List of Recognized Villages

under the New Territories Small House Policy published by the Lands Department), a pre-1898 recognized village, is located within the Area. It is the home of the Choi clan.

- 2.3.2 Currently, only a few village type houses are left. Those with inhabitants or occupied by outdoor training centre/war game operators are in fair to good conditions. The uninhabited ones are generally not well maintained or dilapidated. According to the Leisure and Cultural Services Department, there is no record of archaeological sites or built heritage within the Area.

2.4 Population and Employment

According to the estimate of the Planning Department, the population of the Area in 2013 is about 20 persons. No employment is recorded in the Area.

2.5 Existing Land Uses (**Figures 7a**)

- 2.5.1 The Area is rural and natural in character comprising mainly woodland, shrubland, grassland, streams, orchard, fruit tree plantation, fallow and cultivated agricultural land, a few village type houses, an outdoor training centre, and war game areas. The streams/watercourse and areas with natural vegetation and fallow agricultural land are described in paragraph 2.2 above.

- 2.5.2 Human activities are mainly concentrated at the

southwestern part of the Area where the land is relatively flat.

Village Type Development

- 2.5.3 There are only a few village type houses in the Area (**Figures 7a and 7b**). They are mainly located in the southwest part and near the central of the Area, and another is in the western part. There are 7 village type houses with inhabitants, and 2 village type houses occupied by outdoor training centre/war game operators. They range from 1 to 3 storeys high. The village type houses with inhabitants or in active use are in good to fair conditions. A few uninhabited ones are generally less well maintained or dilapidated.
- 2.5.4 There is a Choi's ancestral hall in the northwestern part of the Area (**Figures 7a and 7c**).
- 2.5.5 A major part of the 'village environs' of Tin Fu Chai is within the Area (**Figure 8**).
- 2.5.6 According to the District Lands Officer/Tuen Mun, Lands Department (DLO/TM, LandsD), there is no approved nor outstanding Small House application for Tin Fu Chai. The DLO/TM, LandsD advised that according to the Tuen Mun Rural Committed in 2009, the 10-year Small House demand forecast for Tin Fu Chai was 150. In January 2013, the DLO/TM, LandsD advised that the 10-year Small House demand forecast by end of 2012 as indicated by the Indigenous Village Representative (IVR) was 678. In August

2013, the DLO/TM, LandsD advised that the forecast was revised by the IVR to 720. However, the DLO/TM, LandsD states that the forecasts of 678 and 720 Small Houses cannot be verified.

Outdoor Training Centre and War Game Areas (Figures 7a and 7d)

- 2.5.7 An outdoor training centre is at the southwestern part of the Area. The land in this part is flat in general. Around the outdoor training centre are some war game areas at the northwestern, southeastern and near central parts of the Area.

Farming and Plantation (Figures 7a and 7e)

- 2.5.8 Active cultivation is mainly near the village type houses in the southwestern part but near the centre of the Area. The cultivate crops are mainly vegetables.
- 2.5.9 Near the village settlement and on the flat and gentle slopes in the eastern and southern parts of the Area, there are orchards and fruit tree plantations.

Community Facility (Figures 7a and 7f)

- 2.5.10 An existing dilapidated village school, named Tin Fu Tsuen School, is at the southwestern edge of the Area.

2.6 Land Ownership and 'Village Environs' (**Figure 8**)

- 2.6.1 Private land is mainly located at the central, southern,

southwestern and western parts of the Area. It accounts for about 10.21 ha (about 18.73%) of the land in the Area, the remaining about 44.29 ha (about 81.27%) of the land is Government land. Most of the private land in the Area is also within the 'village environs' of Tin Fu Chai.

2.6.2 The area of the 'village environs' of Tin Fu Chai is about 14.68 ha, of which about 13.81 ha (i.e. about 94.07%) is within the Area.

2.7 Transportation (**Figure 9**)

The Area is accessible through the paved Tai Lam Forest Track. The track runs through Tai Lam Country Park and a section of it is along the southern and southwestern edges of the Area. Tai Lam Forest Track is a restricted vehicular access managed by the Agriculture, Fisheries and Conservation Department. The track also forms a section of the MacLehose Trail and mountain bike track for recreation purposes. Local villagers can use it for vehicular access upon obtaining permission from the Agriculture, Fisheries and Conservation Department. In addition, there are waterworks access roads in the vicinity. The waterworks access roads are restricted vehicular accesses constructed and maintained by the Water SD solely for inspection and maintenance of waterworks. The waterworks access roads are not constructed to public road standard and the WSD has no plan to upgrade or improve them.

2.8 Infrastructure and Utility Services

2.8.1 There are no public fresh/potable and flush/salt water supplies to, and no public drainage and sewerage systems in the Area. For the time being, there is no public water supplies, drainage or sewerage projects for the Area.

2.8.2 Electricity supply is available. Limited fixed line telecommunication services are available in the Area.

2.8.3 There is no town gas pipe laid by The Hong Kong and China Gas Company Limited within the Area. However, the company advises that there is the possibility that some gas pipes were laid long time ago or by other Registered Gas Contractors. In case unknown pipes are found during construction works, the developer/contractor may contact the company for joint site inspection.

3. PLANNING ANALYSIS

3.1 Strategic and Planning Contexts

3.1.1 In mid 2010, excavation works were detected at Tai Long Sai Wan area, which is an area completely enclosed by Sai Kung East Country Park. To prevent haphazard developments at sites enclosed by Country Parks, DPA plans were subsequently prepared for areas of Tai Long Sai Wan, Hoi Ha, Pak Lap and So Lo Pun in 2010.

- 3.1.2 According to the 2010-2011 Policy Address, the Government will either include the remaining 50 sites encircled by Country Parks into Country Parks, or determine their proper uses through statutory planning in order to meet conservation and social development needs. The Area is one of these sites and has been covered by a statutory DPA Plan. The draft Tin Fu Tsai OZP is to replace the DPA Plan for maintaining statutory planning control over the Area.
- 3.1.3 The Area is completely encircled by Tai Lam Country Park. It is situated in a lower area surrounded by hill slopes of Tai Lam Country Park. The steeper hill slopes are of natural character and the flat land and gentle slopes are of rural character. The Area is also within a large gazetted water gathering ground (**Figure 4**).
- 3.1.4 The Area is relatively isolated from the developed areas due to its location and restrictive vehicular access. The environment of the Area is tranquil. According to the Landscape Value Mapping of Hong Kong (2005), the Area is of upland countryside landscape character. The landscape is generally characterized by high levels of topographic relief, a very low density of built development, largely unaltered topography and high levels of vegetation cover. The landscape value of the Area is generally rated “High” (for areas with more natural character in the northwestern, northern and northeastern part of the Area) and “High (Qualified)” (for areas with more human activities in the southwestern and southern

parts of the Area) (**Figure 10**).

- 3.1.5 In view of the existing character of the Area and the development constraints, the planning framework for the Area should fundamentally be preserving the natural and rural environment and landscape resources.

3.2 Environmental and Conservation Considerations

- 3.2.1 According to the Agriculture, Fisheries and Conservation Department, the natural habitats and woodland are mainly in the northwestern part of the Area (**Figure 6a**). A wooded area to the north of the existing ancestral hall is dominated by *Celtis sinensis* (朴) and *Machilus pauhoi* (刨花潤楠), and believed to be the remnant of a ‘fung shui’ wood. Numerous individuals of *Pavetta hongkongensis* (香港大沙葉), which is a species protected under the Forests and Countryside Ordinance (Cap. 96), are also recorded there. Although the understory has been disturbed and signs of war game are noted, the ecological value of the wooded area should recover overtime. This wooded area is of higher conservation value.

3.3 Development Constraints (**Figures 11, 4 and 9**)

Topography

- 3.3.1 The Area is surrounded by natural hill slopes of Tai Lam Country Park. The hill slopes at the northwestern, northern and northeastern parts of the Area are steep. There were natural terrain landslides

on these steep hill slopes. These steep hill slopes are considered not suitable for development.

Transportation (Road)

- 3.3.2 The Area is completely encircled by Tai Lam Country Park. The vehicular access to the Area is through Tai Lam Forest Track, which is a restricted road managed by the Agriculture, Fisheries and Conservation Department. The section of Tai Lam Forest Track near the Area also forms a section of MacLehose Trail and mountain bike trail for recreation purposes. The section of Tai Lam Forest Track concerned is narrow and without footway. Increased vehicular traffic would cause conflict with the recreation use and safety concerns.

Water Supplies, Drainage and Sewerage

- 3.3.3 The Area is not provided with public water supplies (both fresh/potable and flushing/salt water), drainage and sewerage systems. For the time being, there is no project for provision of public water supplies, drainage and sewerage systems. Uses and developments in the Area should pay due regard to these infrastructure constraints.

Water Gathering Ground

- 3.3.4 The Area is within an upper direct water gathering ground of Tai Lam Chung Reservoir. According to the WSD, Tai Lam Chung Reservoir is a very

important reservoir in Hong Kong and pollution of this reservoir will have serious consequences. New development within the Area should be strictly controlled in order to avoid any possible water pollution so as to safeguard the quality of the water sources of the Area. According to the Environmental Protection Department (EPD), in general the use of septic tank and soakaway systems for sewage treatment and disposal are not considered acceptable for new village type developments within water gathering ground, especially for sites in close proximity to existing stream courses. Any development should demonstrate that water quality within the water gathering ground would not be adversely affected.

Geotechnical

- 3.3.5 There are natural terrain and records of natural terrain landslides on the hill slopes within and around the Area. Developments in the Area are potentially subject to natural terrain hazards. Natural terrain is also present in the northern and northeastern parts of the Area. These parts of the Area also comprise steep natural hillsides with past occurrence of landslides. Developments in these parts of the Area are also potentially subject to natural terrain hazards. Natural terrain hazard study may be required and suitable hazard mitigation measures shall be provided, if found necessary, as part of the developments. For developments to be located only on the relatively flat areas within the Area close to the steep natural

hillsides, it is considered that the natural terrain hazard study should be extended to cover the steep natural hillsides within the Area.

Power lines and Tunnel

3.3.6 There are 400 kV overhead power lines at the southern part of the Area. Uses and developments in Area should pay due regard to the overhead power lines.

3.3.7 Tai Lam Tunnel runs in a generally north-south direction across the western part of the Area. Uses and developments should not affect Tai Lam Tunnel.

Permitted Burial Ground

3.3.8 The Permitted Burial Ground No. BURGD15 is at the northwestern side of the Area. Part of the burial ground is at the northwestern periphery of the Area and the remaining part of it is within Tai Lam Country Park. The area occupied by the burial ground is not suitable for development.

3.4 Development Opportunities

Conservation Potential

3.4.1 The Area is of rural and natural character and with high landscape value (**Figure 10**) and tranquil environment. Opportunities should be taken to preserve the rural and natural character as well as the

landscape of the Area.

3.4.2 The Area, in particular the steeper vegetated hillsides in the western, northern and eastern parts, form an integral part of the natural terrain of Tai Lam Country Park. The natural habitats and woodland in the northwestern part of the Area dominated by *Celtis sinensis* (朴) and *Machilus pauhoi* (刨花潤楠) and with numerous *Pavetta hongkongensis* (香港大沙葉), are of higher conservation value (**Figures 5 and 6a**).

3.4.3 In addition, other areas with dense tree cover, especially at the periphery of the Area, and the vegetated hillsides with natural streams and diverse aquatic vegetation should be protected (**Figures 5 and 6a**) as advised by the Agriculture, Fisheries and Conservation Department.

3.5 Development Pressure

3.5.1 According to the DLO/TM, LandsD, there is no outstanding Small House application to be processed. Since the publication of the draft Tin Fu Tsai DPA Plan No. DPA/TM-TFT/1 on 7.1.2011, there has been no New Territories Exempted House (NTEH)/Small House application to the Board under section 16 of the Ordinance or to the Lands Department.

3.5.2 The 10-year Small House demand forecast at 2009 is 150. As the substantial increase in the updated 10-year demand forecast as at 2012 and in 2013 is unjustified, the previous forecast as at 2009 would be

adopted for reference in the preparation of the OZP. Taking into account of the existing 7 inhabited village type houses and the forecasted demand of 150 Small Houses, a site of about 3.93 ha would be required. There is flat land with few trees in the southwestern part of the Area. The land is already with human activities (e.g. outdoor training centre, war game areas, some cultivated land) and no longer natural. Most of the existing village type houses (including some without inhabitants or in dilapidated state) are within this part of the Area. This part can be considered for village type development to meet the Small House demand of Tin Fu Chai.

- 3.5.3 However, according to the WSD, the Area falls within an upper direct water gathering ground. Since there is no existing or planned public sewerage within the Area, the WSD considers that new village type developments within the Area would increase the risk of pollution to the water gathering ground and that “V” zone, which permits New Territories Exempted House (NTEH) (including Small House) developments, within the Area is not appropriate. According to the EPD, in general the use of septic tank and soakaway systems for sewage treatment and disposal are not considered acceptable for new village type developments within water gathering ground, especially for sites in close proximity to existing stream courses.

4. PLANNING PROPOSALS

4.1 The Outline Zoning Plan

The draft Tin Fu Tsai OZP (the Plan) prepared under section 3(1) of the Ordinance is to provide a statutory basis for planning guidance and control over the Area. It will supersede the approved Tin Fu Tsai DPA Plan No. DPA/TM-TFT/2, which was exhibited for public inspection under section 9(5) of the Ordinance on 16.12.2011. Uses and developments that are always permitted and those for which the Board’s permission must be sought in various zones are set out in a schedule of Notes attached to the Plan. Also accompanying the Plan is an Explanatory Statement to assist an understanding of the Plan and to reflect the planning intentions and objectives of the Board for various land use zonings.

4.2 Planning Objectives

4.2.1 The development of the Area should gear towards the following objectives:

- (a) to provide a comprehensive planning framework to guide developments and redevelopments on an integrated and co-ordinated basis;
- (b) to conserve the natural habitats and woodland in the northwestern part of the Area and to safeguard the steep hill slopes and the vegetation there; and

- (c) to preserve the natural and rural character of the Area.

4.3 Planning Principles

4.3.1 The main planning principles below are adopted for preparation of the planning and development proposals of the Area:

- (a) The Area forms an integral part of the natural environment of the adjoining Tai Lam Country Park. The natural vegetation and habitats at the hill slopes within the Area and adjoining Tai Lam Country Park should be preserved and protected. These areas would also serve as a buffer between developments within the Area and Tai Lam Country Park.
- (b) In view of the concern of the WSD and the EPD on the pollution of upper direct water gathering ground, no “Village Type Development” zone is proposed.

4.4 Land Use Proposals (**Figure 12**)

4.4.1 In the designation of various land use zones in the Area, consideration has been given to the natural environment, physical landform, existing land use pattern, demand for Small Houses and availability of infrastructure. The following land use zones are proposed to be designated on the Plan.

4.4.2 Green Belt (“GB”)

- (a) 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.
- (b) Apart from the wooded area with higher conservation value in the northwestern part of the Area, all areas are within this zone. This zone also covers part of a permitted burial ground intended to provide burial places for indigenous villagers, which is at the northwestern periphery of the Area.
- (c) Since there is a general presumption against development within this zone, development in this zone will be strictly controlled. Development proposals will be considered by the Board on individual merits taking into account the relevant Town Planning Board Guidelines.
- (d) As diversion of stream, filling of land/pond or excavation of land may cause adverse drainage impact on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities except public works co-ordinated or implemented by

Government, and maintenance, repair or rebuilding works.

4.4.3 Conservation Area (“CA”)

- (a) This zoning is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.
- (b) A wooded area in the northwestern part of the Area with dense trees is within this zone. According to the Agriculture, Fisheries and Conservation Department, the habitats in the northwestern part of the Area are largely natural. The wooded area within this zone is dominated by *Celtis sinensis* (朴) and *Machilus pauhoi* (刨花潤楠) and believed to be the remnant of a ‘fung shui’ wood. Numerous individuals of *Pavetta hongkongensis* (香港大沙葉), which is a species protected under the Forests and Countryside Ordinance (Cap. 96), are also recorded there. This wooded area is of higher conservation value.

- (c) New residential development is not permitted under this zone. Redevelopment of existing houses may be permitted on application to the Board. The redevelopment of existing houses 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 in the Gazette of the notice of the draft DPA Plan.
- (d) Diversion of stream, filling of land/pond or excavation of land may cause adverse drainage impact 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.

5. IMPLEMENTATION

- 5.1 The Plan provides a broad land use framework for development control and implementation of planning proposals. More detailed plans would be prepared when required as a basis for public works planning and private developments. The type of permitted developments and uses on land within the Area are listed in the Notes of the Plan. Unless otherwise specified, all uses directly related and ancillary to the permitted uses and developments within the same zone are also permitted.

- 5.2 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.
- 5.3 Minor improvement works, e.g. laying of utility services, will be implemented through the Public Works Programme, the Rural Public Works Programme, and the Local Public Works Improvement Programme subject to priority and resources availability. Private developments will be effected principally through private sector initiatives to develop or redevelop their properties in accordance with the zoned use indicated on the Plan, provided that their proposals meet Government requirements.
- 5.4 Any development, other than those referred to in paragraph 5.1 above or in conformity with the Plan or with the permission of the Board, undertaken or continued on land included in the Plan on or after the date of the first publication in the Gazette of the notice of the draft DPA plan (i.e. 7.1.2011) may be subject to enforcement proceedings under the Ordinance. Any diversion of stream, filling of land/pond or excavation of land in the relevant zones on or after the date of the first publication in the Gazette of the notice of the draft DPA plan without permission from the Board may also be subject to enforcement proceedings. Moreover, there is a presumption against diversion of stream and filling of pond for temporary use or development in conservation-related zonings, such as “Conservation Area”.

PLANNING DEPARTMENT
SEPTEMBER 2013



 STUDY AREA

LOCATION PLAN

TIN FU TSAI

PLANNING
DEPARTMENT



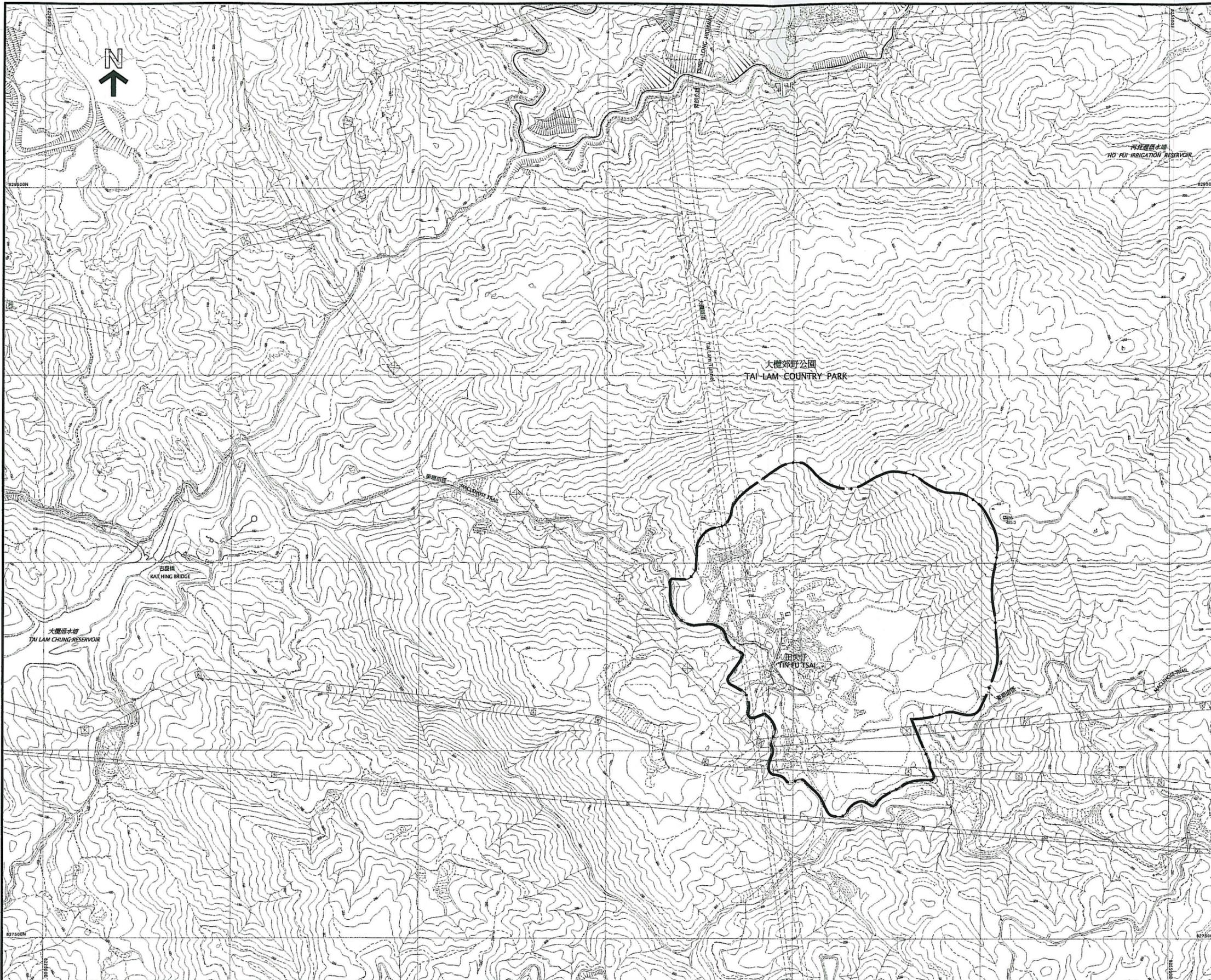
EXTRACT PLAN PREPARED ON 14.8.2013
BASED ON SURVEY SHEET SERIES HM100C

SCALE 1 : 100 000



REFERENCE No.
M/TM/13/155

FIGURE
1



圖例
NOTATION

MISCELLANEOUS		其他
BOUNDARY OF DEVELOPMENT PERMISSION AREA	— + —	發展審批地區界線
BOUNDARY OF COUNTRY PARK	— · —	郊野公園界線

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	
UNSPECIFIED USE	54.50	100.00	非指定用途
TOTAL AREA OF DEVELOPMENT PERMISSION AREA	54.50	100.00	發展審批地區總面積

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2011年12月6日 根據城市
規劃條例第9(1)(a)條核准的圖則
APPROVED BY THE CHIEF EXECUTIVE IN COUNCIL UNDER
SECTION 9(1)(a) OF THE TOWN PLANNING ORDINANCE ON
6 DECEMBER 2011

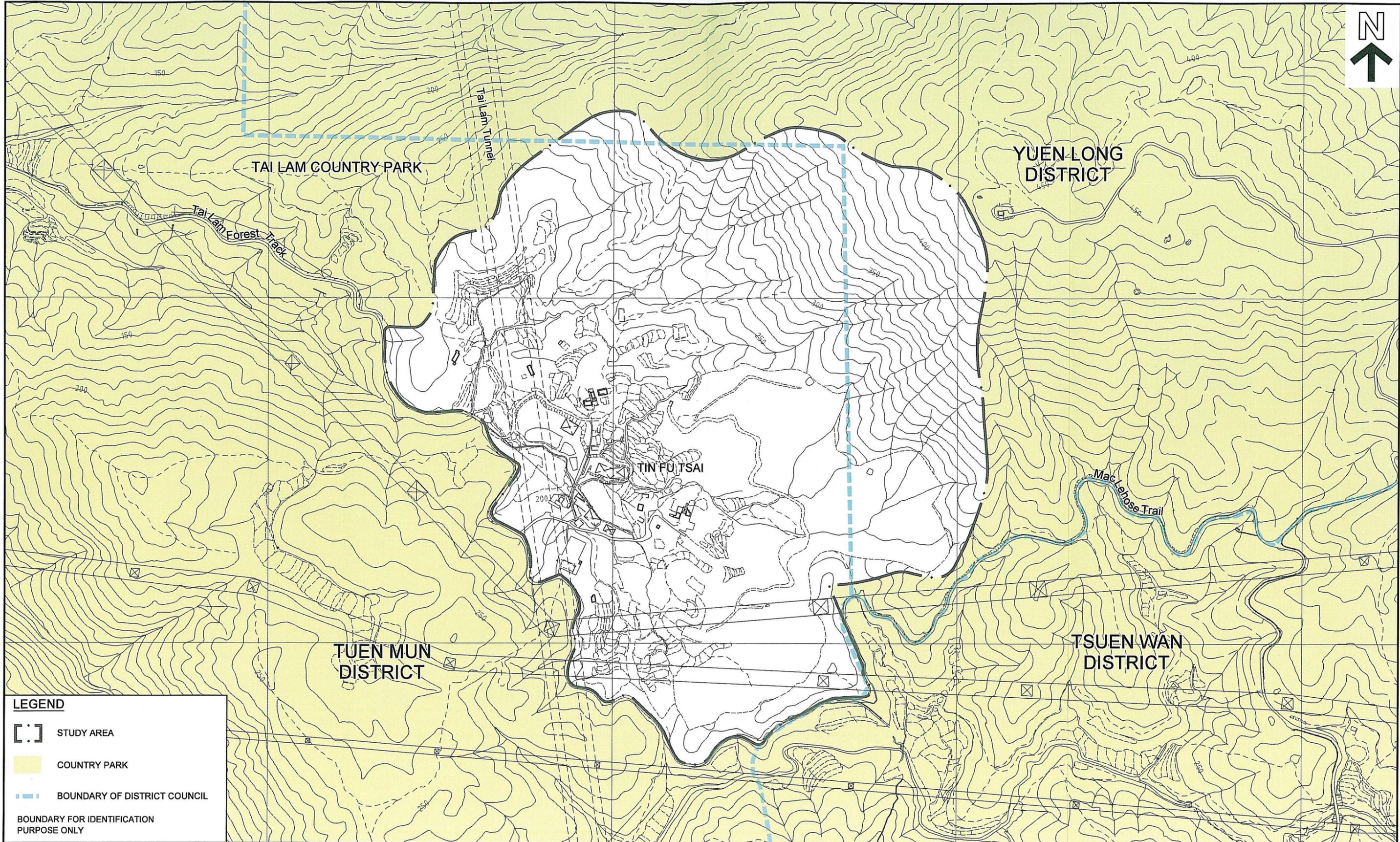
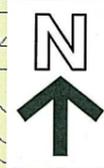
Ms Manda CHAN 陳詠雯女士
CLERK TO THE EXECUTIVE COUNCIL 行政會議秘書

田夫仔發展審批地區圖
TIN FU TSAI DEVELOPMENT PERMISSION AREA PLAN

SCALE 1:5,000 比例尺
METRES 100 0 200 400 600 800 METRES

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

圖則編號
PLAN No. DPA/TM-TFT/2



LEGEND

-  STUDY AREA
-  COUNTRY PARK
-  BOUNDARY OF DISTRICT COUNCIL
-  BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

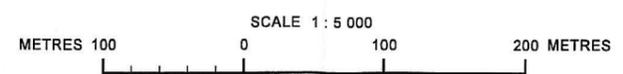
STUDY AREA OF TIN FU TSAI

TIN FU TSAI

PLANNING DEPARTMENT

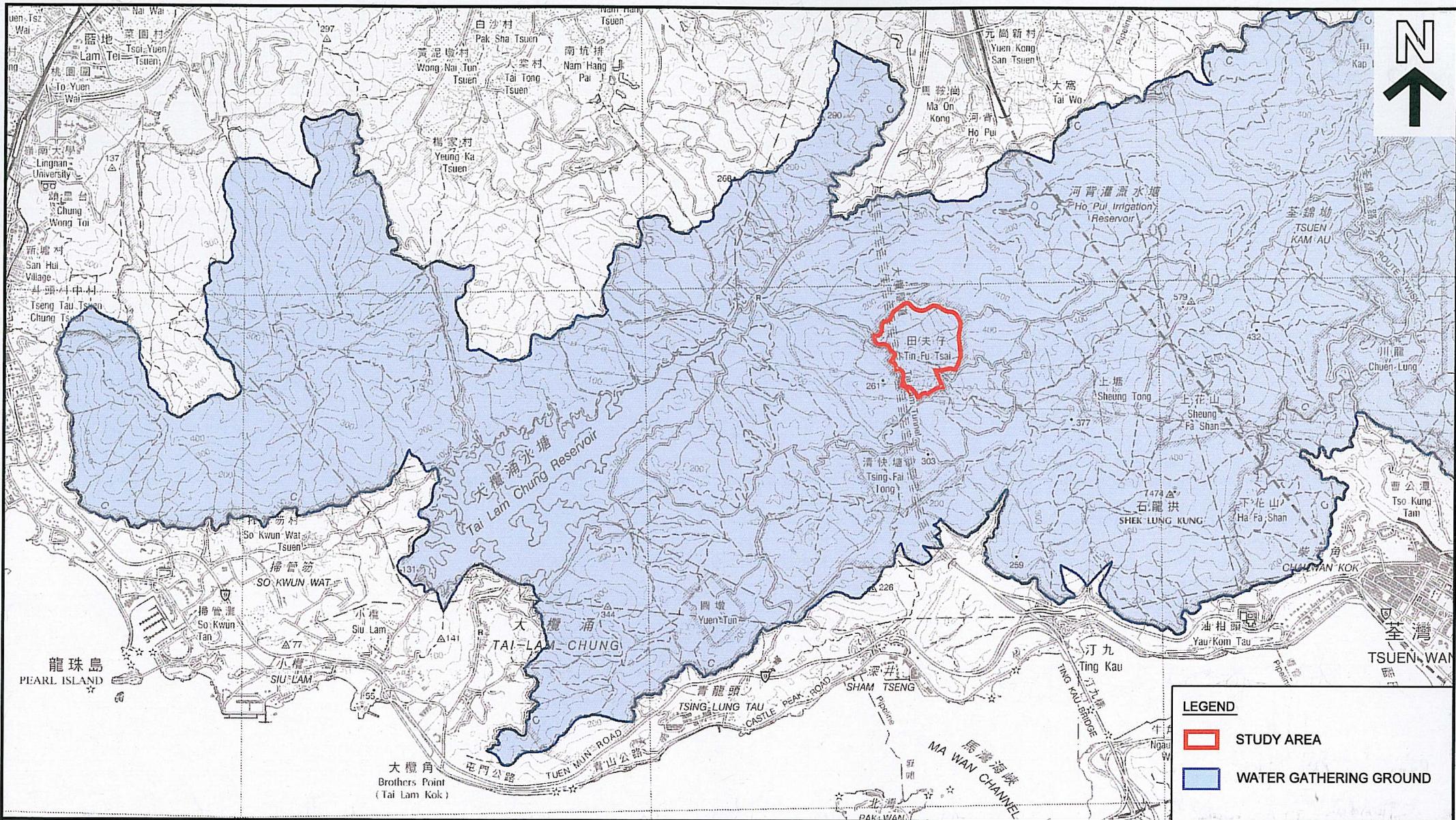


EXTRACT PLAN PREPARED ON 16.8.2013
BASED ON SURVEY SHEETS No.
6-SE-1D, 2C, D, 3C, 6B, 7A, B, C, D & 8A



REFERENCE No.
M/TM/13/155

FIGURE
3



LEGEND

- STUDY AREA
- WATER GATHERING GROUND

WATER GATHERING GROUND

TIN FU TSAI

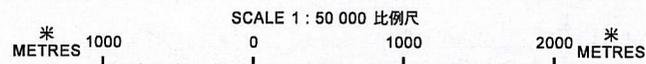
PLANNING DEPARTMENT

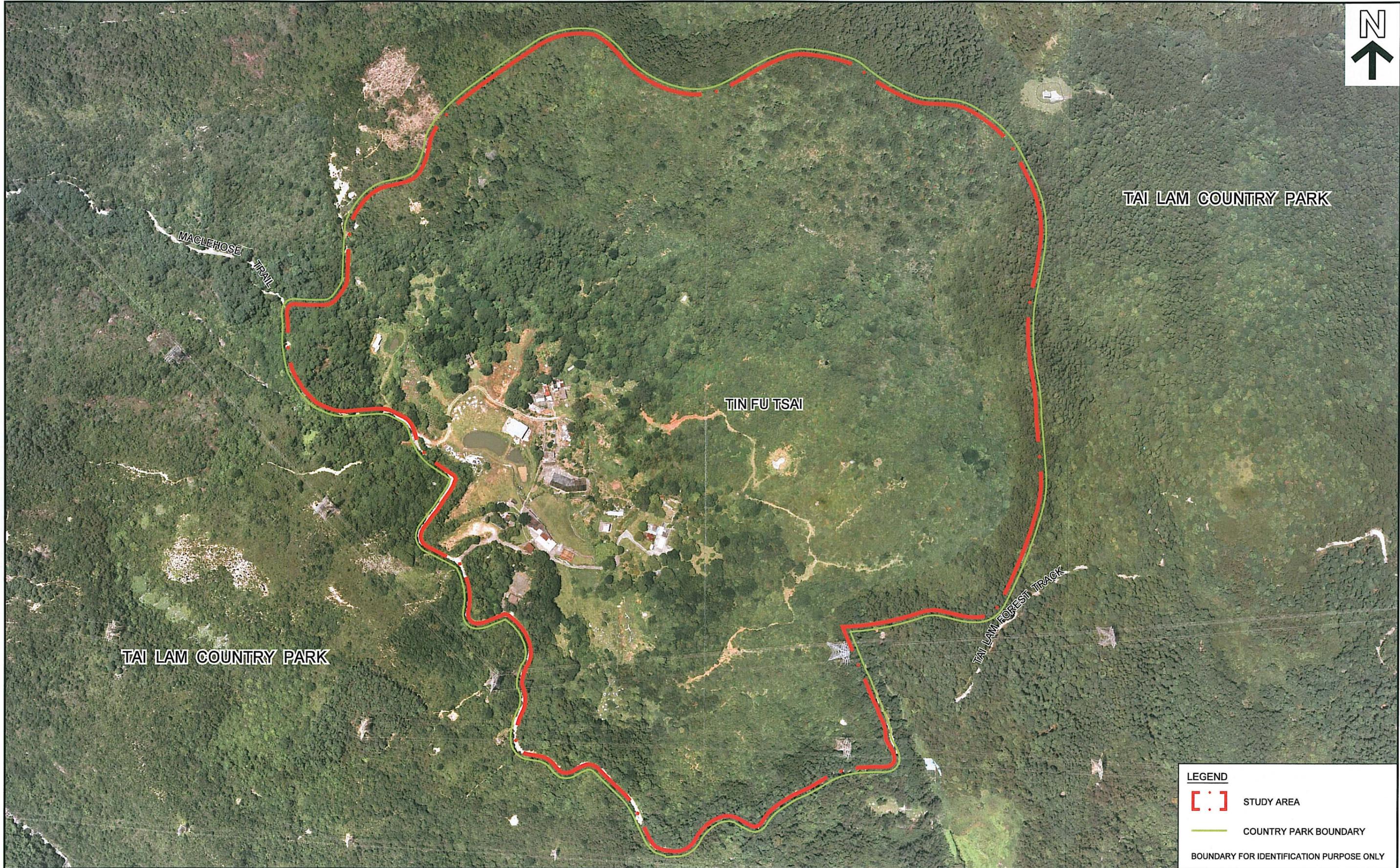


EXTRACT PLAN PREPARED ON 9.8.2013
BASED ON SHEETS No. 1
IN SERIES HM50C

REFERENCE No.
M/TM/13/155

FIGURE
4





LEGEND

- [:] STUDY AREA
- COUNTRY PARK BOUNDARY
- BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

EXTRACT PLAN PREPARED ON 15.8.2013
BASED ON AERIAL PHOTO No.
CS37066, CS37068, CS37221, CS37222
TAKEN ON 30.7.2012 BY LANDS DEPARTMENT

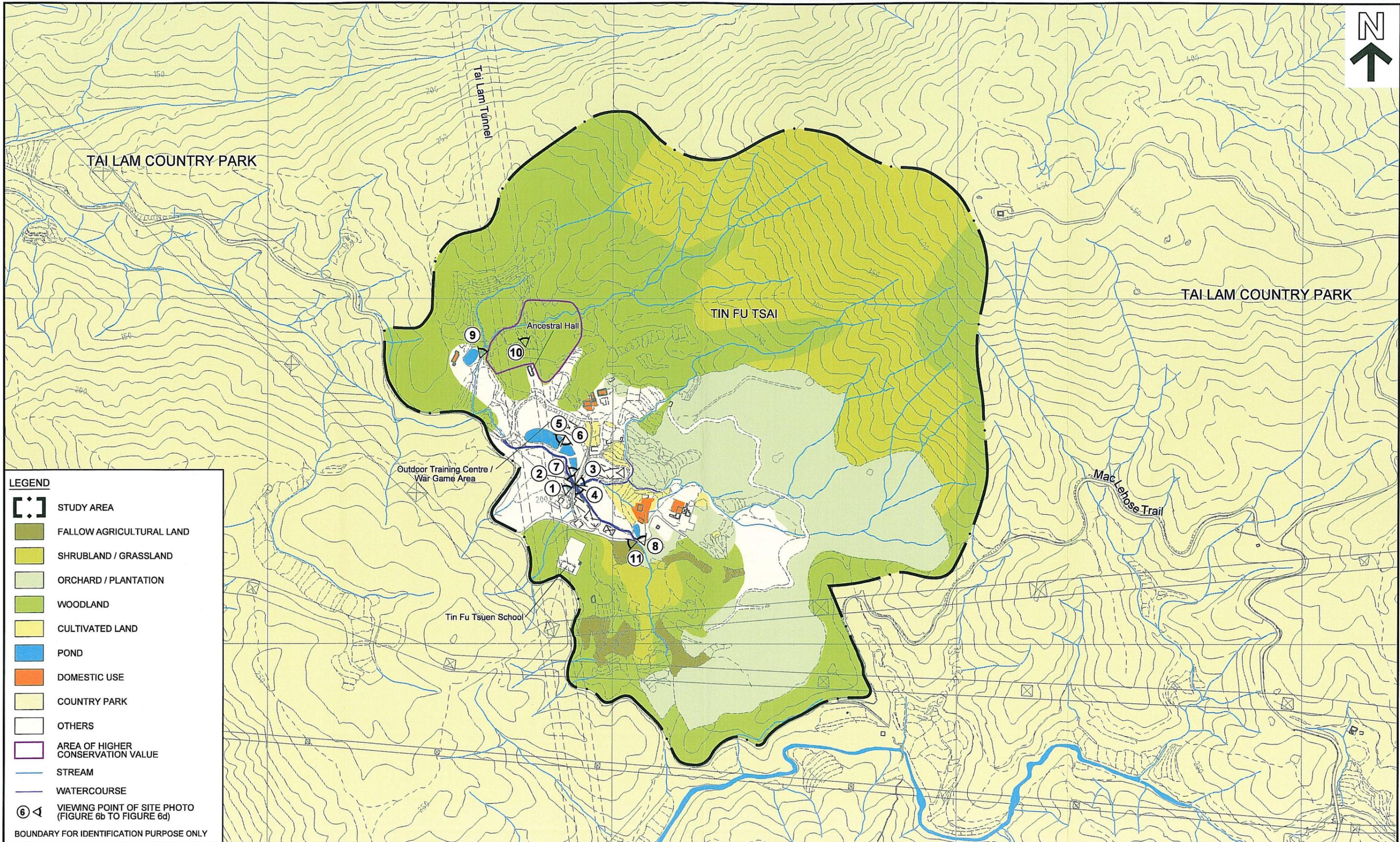
AERIAL PHOTO
TIN FU TSAI

PLANNING DEPARTMENT



REFERENCE No.
M/TM/13/155

FIGURE
5



LEGEND

-  STUDY AREA
-  FALLOW AGRICULTURAL LAND
-  SHRUBLAND / GRASSLAND
-  ORCHARD / PLANTATION
-  WOODLAND
-  CULTIVATED LAND
-  POND
-  DOMESTIC USE
-  COUNTRY PARK
-  OTHERS
-  AREA OF HIGHER CONSERVATION VALUE
-  STREAM
-  WATERCOURSE
-  VIEWING POINT OF SITE PHOTO (FIGURE 6b TO FIGURE 6d)

BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

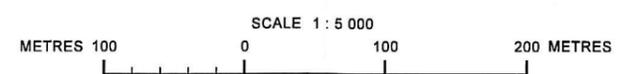
EXISTING PHYSICAL FEATURES

TIN FU TSAI

PLANNING DEPARTMENT



EXTRACT PLAN PREPARED ON 2.10.2013
 BASED ON SURVEY SHEETS No.
 6-SE-1D, 2C, 2D, 3C, 6B, 6D, 7A, 7B, 7C, 7D, 8A & 8C



REFERENCE No.
 M/TM/13/155

FIGURE
 6a



WATERCOURSE

PLAN PREPARED ON 4.9.2013
BASED ON SITE PHOTOS
TAKEN ON 5.8.2013 AND 2.9.2013

SITE PHOTOS - EXISTING PHYSICAL FEATURES

TIN FU TSAI

PLANNING
DEPARTMENT



REFERENCE No. M/TM/13/155	FIGURE 6b
------------------------------	--------------



PONDS

PLAN PREPARED ON 4.9.2013
BASED ON SITE PHOTOS
TAKEN ON 5.8.2013 AND 2.9.2013

SITE PHOTOS - EXISTING PHYSICAL FEATURES

TIN FU TSAI

PLANNING
DEPARTMENT



REFERENCE No.
M/TM/13/155

FIGURE
6c



WOODLAND



FALLOW AGRICULTURAL LAND

PLAN PREPARED ON 4.9.2013
BASED ON SITE PHOTOS
TAKEN ON 5.8.2013

SITE PHOTOS - EXISTING PHYSICAL FEATURES

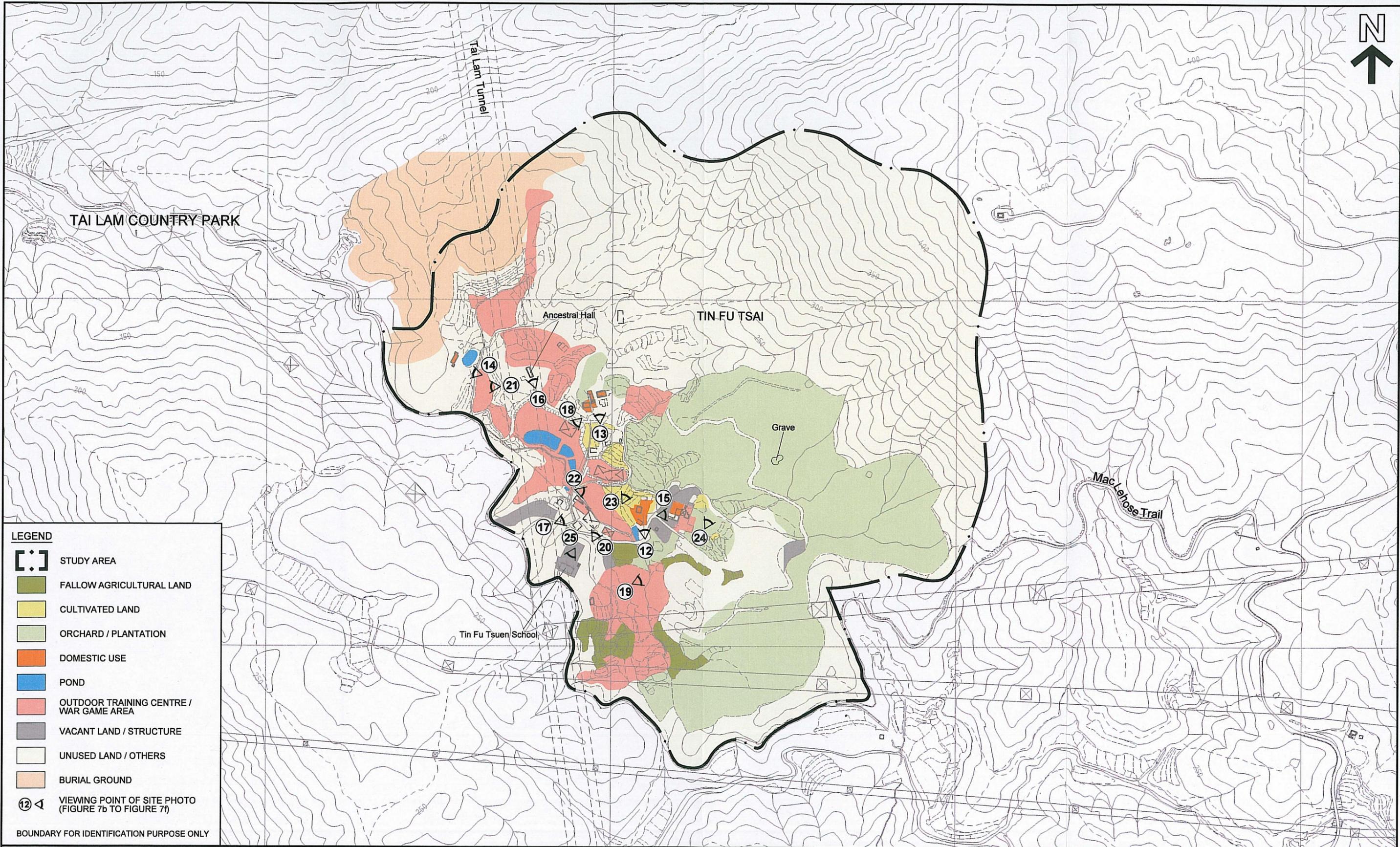
TIN FU TSAI

PLANNING
DEPARTMENT



REFERENCE No.
M/TM/13/155

FIGURE
6d



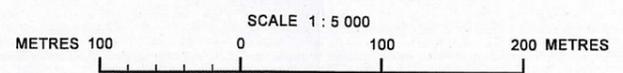
LEGEND

- STUDY AREA
- FALLOW AGRICULTURAL LAND
- CULTIVATED LAND
- ORCHARD / PLANTATION
- DOMESTIC USE
- POND
- OUTDOOR TRAINING CENTRE / WAR GAME AREA
- VACANT LAND / STRUCTURE
- UNUSED LAND / OTHERS
- BURIAL GROUND
- VIEWING POINT OF SITE PHOTO (FIGURE 7b TO FIGURE 7f)

BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

EXISTING LAND USES

TIN FU TSAI



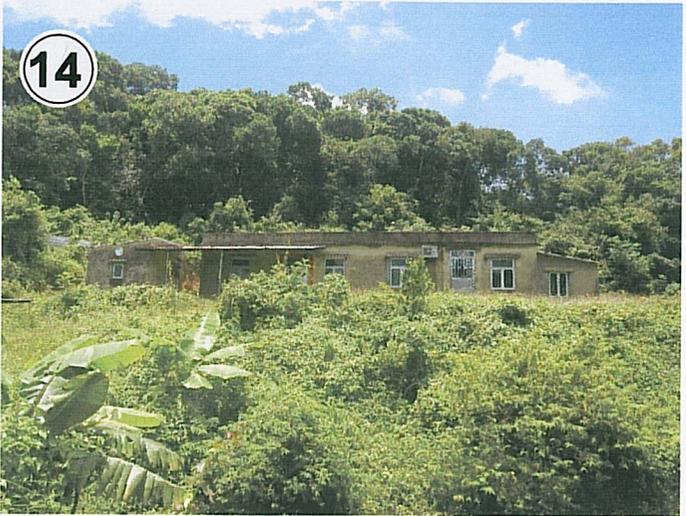
EXTRACT PLAN PREPARED ON 15.8.2013
BASED ON SURVEY SHEETS No.
6-SE-1D, 2C, 2D, 3C, 6B, 6D, 7A, 7B, 7C, 7D, 8A & 8C

PLANNING DEPARTMENT



REFERENCE No.
M/TM/13/155

FIGURE
7a



VILLAGE TYPE HOUSES

PLAN PREPARED ON 8.8.2013
 BASED ON SITE PHOTOS
 TAKEN ON 05.08.2013

SITE PHOTOS - EXISTING LAND USES

TIN FU TSAI

PLANNING
 DEPARTMENT



REFERENCE No. M/TM/13/155	FIGURE 7b
------------------------------	--------------

16



CHOI'S ANCESTRAL HALL

PLAN PREPARED ON 8.8.2013
BASED ON SITE PHOTOS
TAKEN ON 05.08.2013

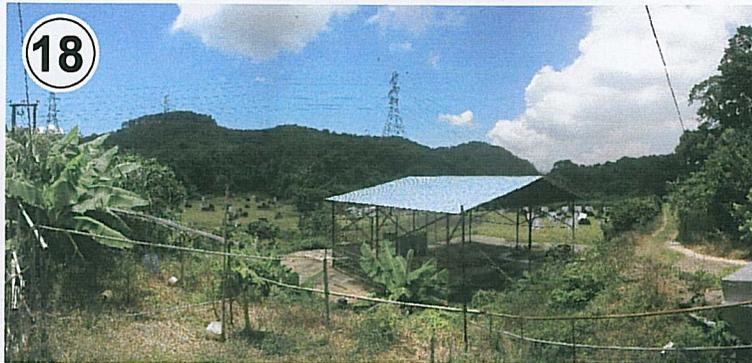
SITE PHOTOS - EXISTING LAND USES

TIN FU TSAI

PLANNING
DEPARTMENT



REFERENCE No. M/TM/13/155	FIGURE 7c
------------------------------	--------------



OUTDOOR TRAINING CENTRE AND WAR GAME AREAS

PLAN PREPARED ON 8.8.2013
BASED ON SITE PHOTOS
TAKEN ON 05.08.2013

SITE PHOTOS - EXISTING LAND USES

TIN FU TSAI

PLANNING
DEPARTMENT



REFERENCE No. M/TM/13/155
FIGURE 7d



CULTIVATED LAND AND ORCHARD

PLAN PREPARED ON 8.8.2013
 BASED ON SITE PHOTOS
 TAKEN ON 05.08.2013

SITE PHOTOS - EXISTING LAND USES

TIN FU TSAI

PLANNING
 DEPARTMENT



REFERENCE No.
 M/TM/13/155

FIGURE
 7e



TIN FU TSUEN SCHOOL

PLAN PREPARED ON 8.8.2013
BASED ON SITE PHOTOS
TAKEN ON 05.08.2013

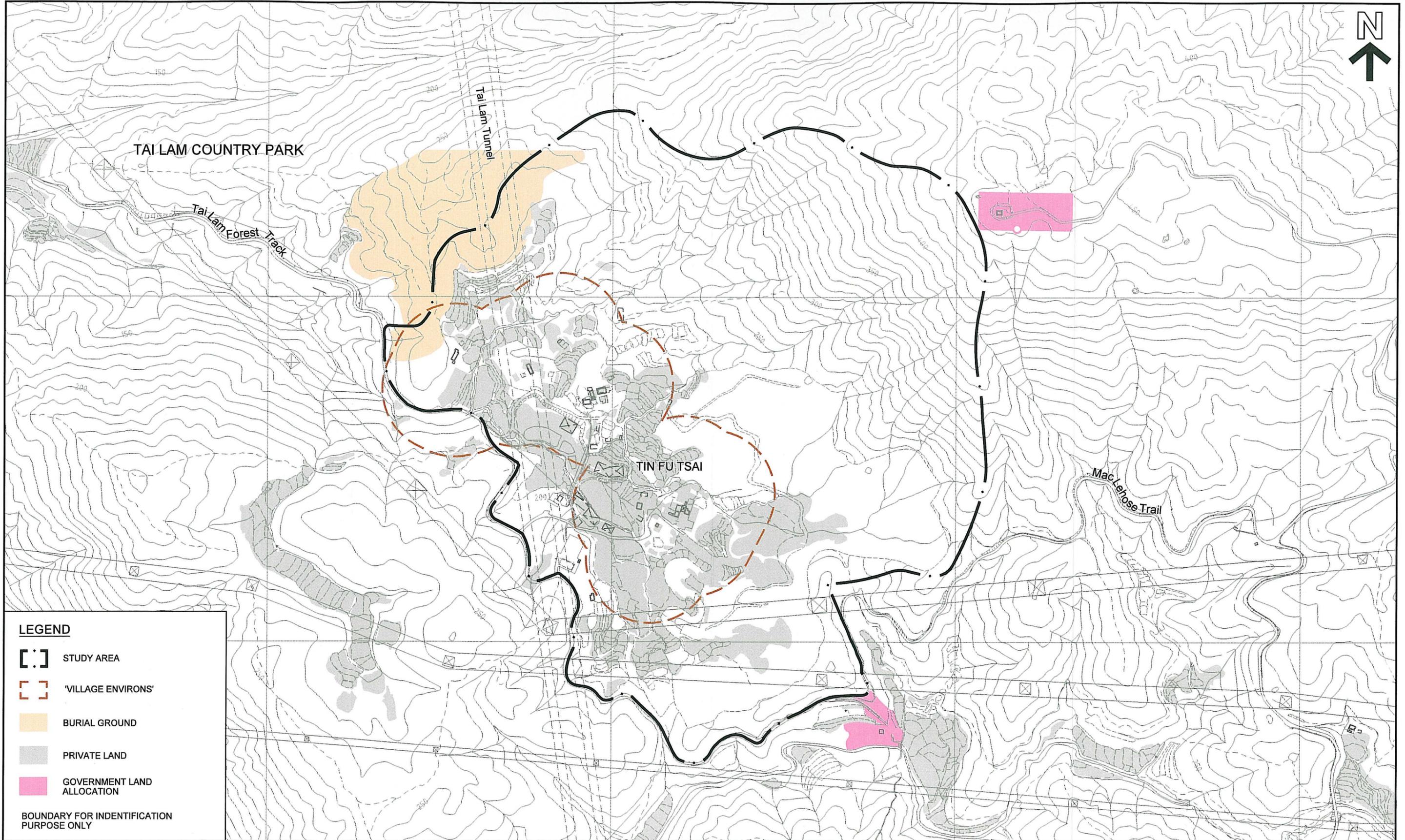
SITE PHOTOS - EXISTING LAND USES

TIN FU TSAI

PLANNING
DEPARTMENT



REFERENCE No. M/TM/13/155	FIGURE 7f
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LEGEND

- STUDY AREA
- 'VILLAGE ENVIRONS'
- BURIAL GROUND
- PRIVATE LAND
- GOVERNMENT LAND ALLOCATION

BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

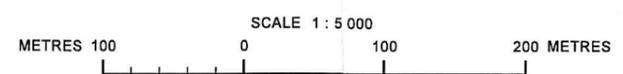
LAND OWNERSHIP AND 'VILLAGE ENVIRONS'

TIN FU TSAI

PLANNING DEPARTMENT

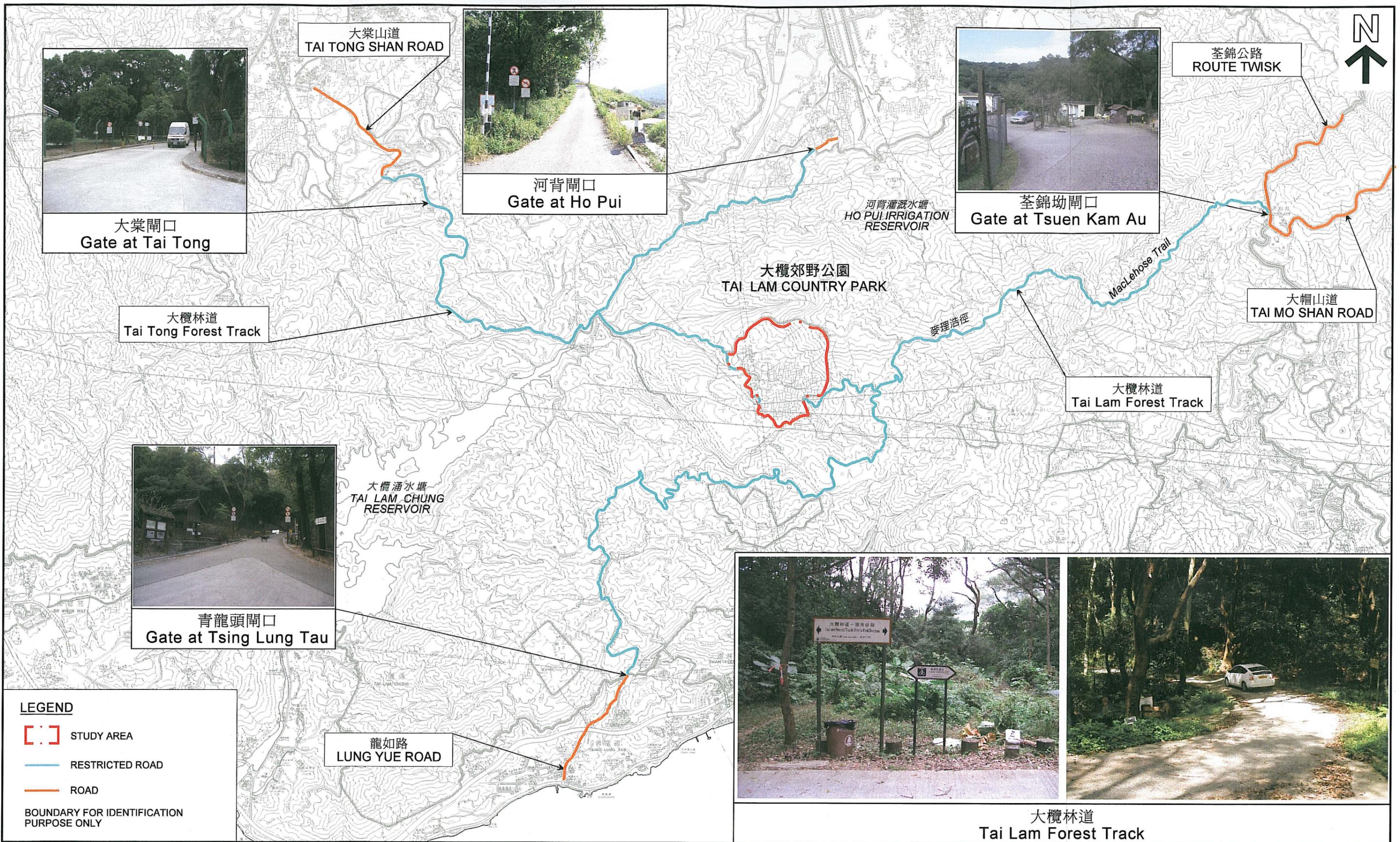


EXTRACT PLAN PREPARED ON 13.8.2013
 BASED ON SURVEY SHEETS No.
 6-SE-1D, 2C, 2D, 3C, 6B, 6D, 7A, 7B, 7C, 7D, 8A & 8C



REFERENCE No.
 M/TM/13/155

FIGURE
 8



LEGEND

[Red dashed line] STUDY AREA

[Blue line] RESTRICTED ROAD

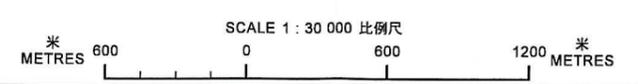
[Orange line] ROAD

BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

EXTRACT PLAN PREPARED ON 4.9.2013
 BASED ON SURVEY SHEETS No.
 6-NW-C/D, 6-NE-C/D, 6-SW-A/B/C/D & 6-SE-A/B/C/D

TRANSPORTATION

TIN FU TSAI



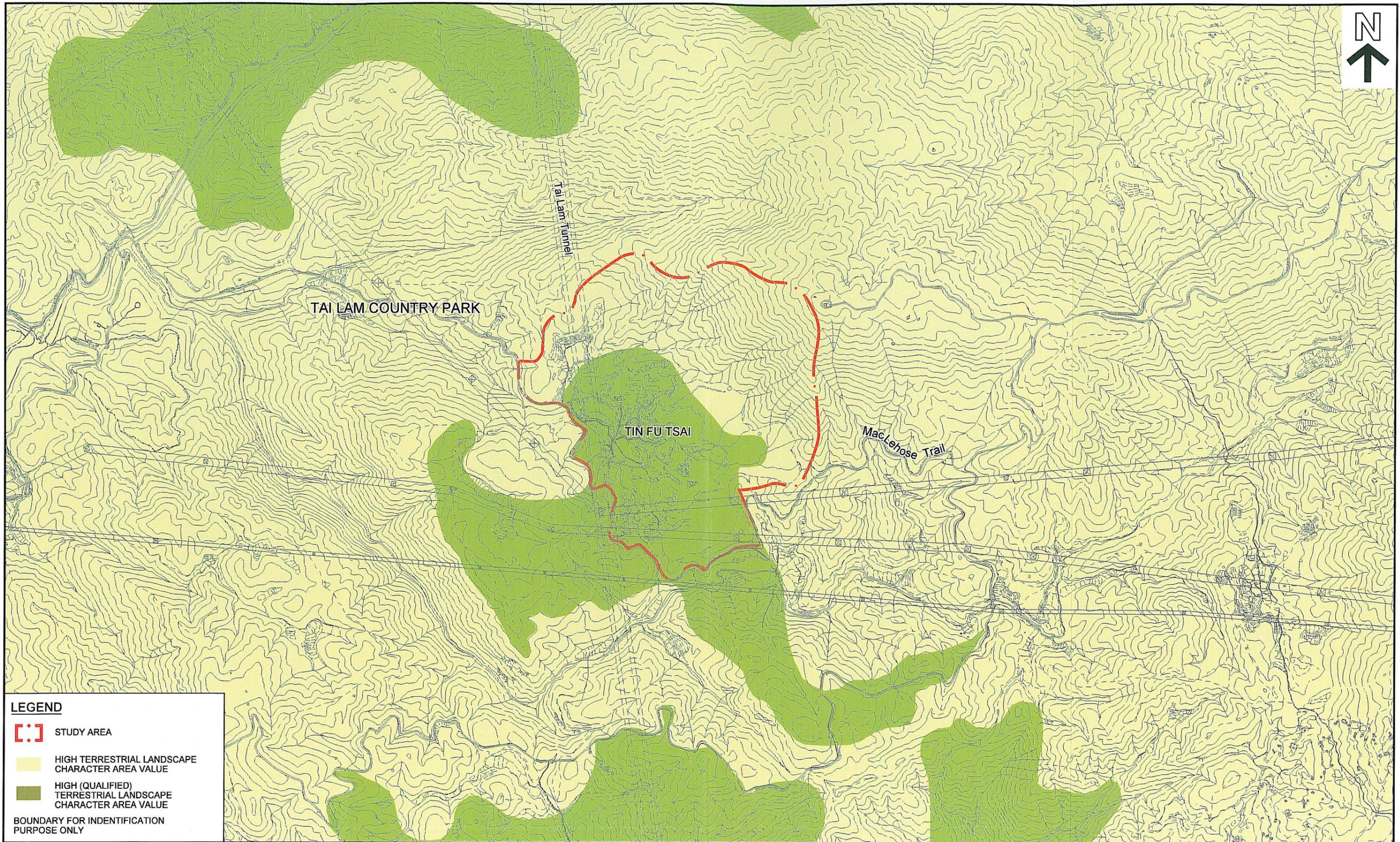
PLANNING DEPARTMENT



REFERENCE No.
 M/TM/13/155

FIGURE
 9

大欖林道
 Tai Lam Forest Track



LEGEND

-  STUDY AREA
-  HIGH TERRESTRIAL LANDSCAPE CHARACTER AREA VALUE
-  HIGH (QUALIFIED) TERRESTRIAL LANDSCAPE CHARACTER AREA VALUE
-  BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

LANDSCAPE VALUE

TIN FU TSAI

PLANNING DEPARTMENT

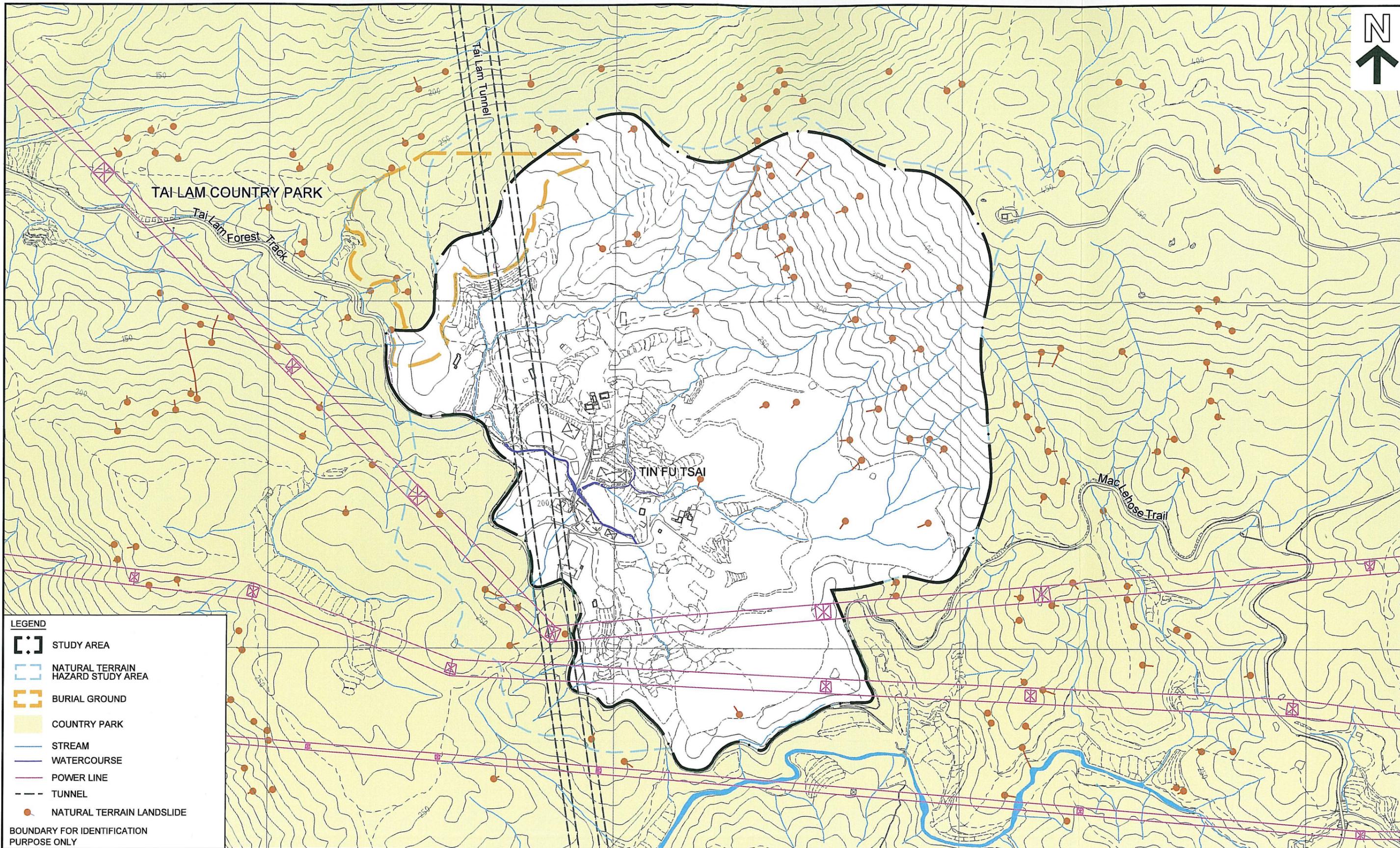


EXTRACT PLAN PREPARED ON 8.8.2013
BASED ON SURVEY SHEETS No.
6-SE-1A, 1B, 1C, 1D, 2A, 2B, 2C, 2D, 3A, 3B, 3C, 3D, 6A, 6B, 6C, 6D,
7A, 7B, 7C, 7D, 8A, 8B, 8C, 8D, 11A, 11B, 12A, 12B, 13A & 13B



REFERENCE No.
M/TM/13/155

FIGURE
10



- LEGEND**
-  STUDY AREA
 -  NATURAL TERRAIN HAZARD STUDY AREA
 -  BURIAL GROUND
 -  COUNTRY PARK
 -  STREAM
 -  WATERCOURSE
 -  POWER LINE
 -  TUNNEL
 -  NATURAL TERRAIN LANDSLIDE
- BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

DEVELOPMENT CONSTRAINTS

TIN FU TSAI

PLANNING DEPARTMENT

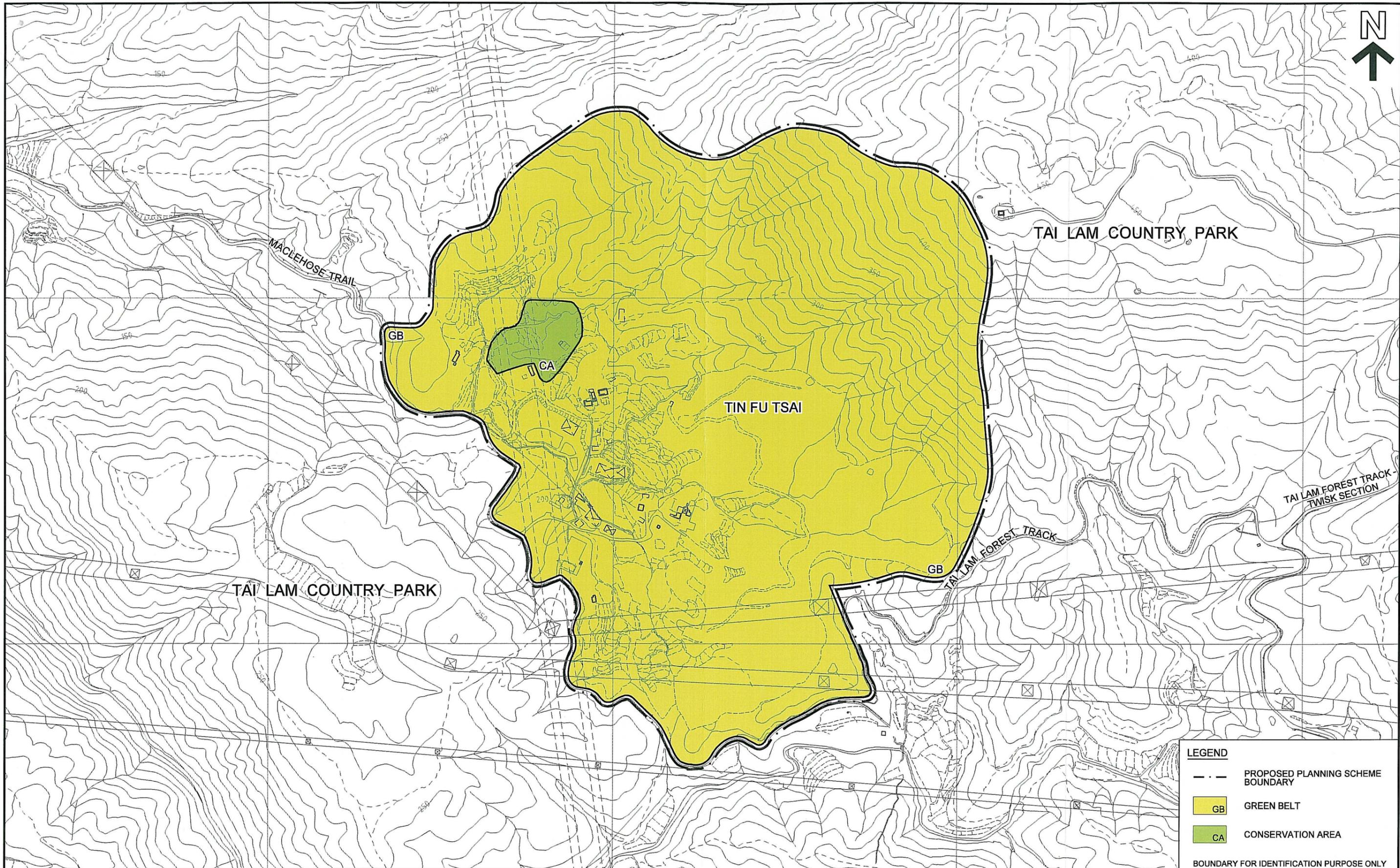


EXTRACT PLAN PREPARED ON 23.8.2013
BASED ON SURVEY SHEETS No.
6-SE-1D, 2C, 2D, 3C, 6B, 6D, 7A, 7B, 7C, 7D, 8A & 8C



REFERENCE No.
M/TM/13/155

FIGURE
11



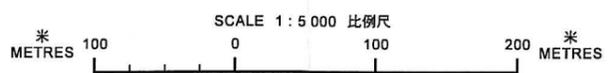
LEGEND

-  PROPOSED PLANNING SCHEME BOUNDARY
-  GB GREEN BELT
-  CA CONSERVATION AREA

BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

LAND USE PROPOSALS

TIN FU TSAI



EXTRACT PLAN PREPARED ON 2.10.2013
BASED ON SURVEY SHEETS No.
6-SE-1D, 2C, 2D, 3C, 6B, 6D, 7A, 7B, 7C, 7D, 8A & 8C

PLANNING DEPARTMENT



REFERENCE No.
M/TM/13/155

FIGURE
12