

TOWN PLANNING BOARD

**TPB Paper No. 10156
For Consideration by the
Town Planning Board
on 19.8.2016**

**PROPOSED AMENDMENTS TO
THE DRAFT PAK SHA O OUTLINE ZONING PLAN NO. S/NE-PSO/1
ARISING FROM THE CONSIDERATION OF
REPRESENTATIONS AND COMMENTS ON
THE DRAFT PAK SHA O OUTLINE ZONING PLAN NO. S/NE-PSO/1**

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1. Purpose

This paper is to seek Members' agreement that:

- (a) the proposed amendments to the Notes of the draft Pak Sha O Outline Zoning Plan No. S/NE-PSO/1 (the draft OZP) set out at **Annex I** are suitable for publication for public inspection under section 6C(2) of the Town Planning Ordinance (the Ordinance); and
- (b) the revised Explanatory Statement (ES) of the draft OZP (**Annex II**) is suitable for publication together with the proposed amendments.

2. Background

- 2.1 On 4.12.2015, the draft OZP was exhibited for public inspection under section 5 of the Ordinance. During the plan exhibition period, a total of 1,806 valid representations and 36 comments on the representations were received.
- 2.2 After considering the representations and comments on 22.7.2016, the Town Planning Board (the Board) decided to partially uphold Representations No. R516 (part) and R517 to R1807 by amending the Notes of the draft OZP to the effect that any new New Territories Exempted House (NTEH) in the "Village Type Development" ("V") zone (**Plan 1**) would require planning permission from the Board (**Annex I**). The Board also considered that the ES of the draft OZP should be suitably amended to explain the planning intention of "V" zone, and the proposed amendments to the draft OZP should be submitted to the Board for agreement prior to gazetting under section 6C(2) of the Ordinance.

3. Proposed Amendments to the Draft OZP

- 3.1 Noting that Pak Sha O and Pak Sha O Ha Yeung are outstanding vernacular Hakka villages in the Area and are well-preserved, and that the heritage value of historic buildings partly lies in their original physical environment, any change to the vernacular Hakka village setting with possible adverse impact on the heritage value of historic buildings and integrity and ambience of the existing village setting should be avoided. To this end, a "V" zone separated from the old villages is designated for village expansion, whilst the existing

village clusters are zoned “V(1)” where new house development (New Territories Exempted House only) and any demolition of or any addition, alteration and/or modification to or replacement/redevelopment of an existing building requires planning permission from the Board. To avoid possible adverse visual impact to the vernacular Hakka village setting, house development (New Territories Exempted House only) in the separated “V” zone also requires planning permission from the Board.

3.2 Proposed Amendments to the Notes of the Draft OZP (Annex I)

Under Column 1 of “V” zone, it is proposed to delete ‘House (NTEH only) (other than on land designated “V(1)”’, and ‘Eating Place’, ‘Library’, ‘School’ and ‘Shop and Services’ on the ground floor of a NTEH (other than on land designated “V(1)”’, and for Column 2 to replace ‘House (not elsewhere specified)’ by ‘House (NTEH only)’. Accordingly, the planning intention of “V” zone has been revised to reflect these changes. In addition, to ensure that new houses including rebuilding of NTEH and replacement of existing domestic building by NTEH in other zones would not adversely affect the vernacular Hakka village setting, planning permission from the Board also should be required. The Covering Notes and the Notes for “G/IC”, “AGR” and “GB” zones have been updated accordingly. The proposed amendments are highlighted (additions in ***bold and italics*** and deletion ~~crossed-out~~) at **Annex I** for Members’ consideration.

3.3 Proposed Revision to the ES of the Draft OZP (Annex II)

The ES (paragraphs 9.1.1 and 9.1.3) of the draft OZP has been revised to explain the planning intention and planning control for “V” zones aiming to preserve the vernacular Hakka village setting of Pak Sha O and Pak Sha O Ha Yeung. The proposed revisions are highlighted (additions in ***bold and italics*** and deletion ~~crossed-out~~) at **Annex II** for Members’ consideration.

4. Decision Sought

Members are invited to agree that the proposed amendments to the Notes of the draft Pak Sha O OZP No. S/NE-PSO/1 as shown at **Annex I** are suitable for publication for public inspection in accordance with section 6C(2) of the Ordinance; and the revised ES at **Annex II** is suitable for publication together with the proposed amendments.

Attachments

Annex I	Proposed Amendments to the Notes of the Draft Pak Sha O Outline Zoning Plan No. S/NE- PSO/1
Annex II	Proposed Revisions to the Explanatory Statement of the Draft Pak Sha O Outline Zoning Plan No. S/NE-PSO/1
Plan 1	Site Plan – “V” and “V(1)” Zones at Pak Sha O Village on the Draft Pak Sha O Outline Zoning Plan No. S/NE- PSO/1

PLANNING DEPARTMENT
AUGUST 2016

**Proposed Amendments to the Covering Notes of
the Draft Pak Sha O Outline Zoning Plan No. S/NE- PSO/1**

- (7) Alignment of roads and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.
- (8) The following uses or developments are always permitted on land falling within the boundaries of the Plan except (a) where the uses or developments are specified in Column 2 of the Notes of individual zones or (b) in the Remarks in the Notes of the zone or (c) 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; *and*
 - ~~(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)~~*(e)* 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

**Proposed Amendments to the Schedule of Uses and Planning Intention of the Notes of
the “Village Type Development” Zone on
the Draft Pak Sha O Outline Zoning Plan No. S/NE- PSO/1**

VILLAGE TYPE DEVELOPMENT

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Government Use (Police Reporting Centre, Post Office only) House (New Territories Exempted House only) (other than on land designated “Village Type Development(1)”) On-Farm Domestic Structure Religious Institution (Ancestral Hall only) Rural Committee/Village Office	Eating Place Flat Government Refuse Collection Point Government Use (not elsewhere specified) # Hotel (Holiday House only) House (not elsewhere specified) <i>House (New Territories Exempted House only)</i> Institutional Use (not elsewhere specified) # Place of Recreation, Sports or Culture Public Clinic Public Convenience Public Utility Installation # Religious Institution (not elsewhere specified) # Residential Institution # School # Shop and Services Social Welfare Facility # Utility Installation for Private Project

~~In addition, the following uses are always
permitted on the ground floor of a New
Territories Exempted House (other than on
land designated “Village Type
Development(1)”):~~

~~Eating Place
Library
School
Shop and Services~~

(Please see next page)

VILLAGE TYPE DEVELOPMENT (Cont'd)

Planning Intention

The planning intention of this zone is to ***preserve the vernacular Hakka village setting of the existing Pak Sha O and Pak Sha O Ha Yeung villages and*** designate both existing recognized villages and areas of land considered suitable for village expansion ***in harmony with the surroundings***. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. ~~The planning intention of the “Village Type Development(1)” sub-area is to preserve the existing village setting.~~ Selected commercial and community uses serving the needs of the villagers and ~~in support of the village development~~ ***not adversely affecting the character of the villages*** are always permitted ~~on the ground floor of a New Territories Exempted House (other than on land designated “Village Type Development(1)”).~~ Other commercial, community and recreational uses may be permitted on application to the Town Planning Board.

Remarks

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

**Proposed Amendments to the Schedule of Uses of the Notes of
the “Government, Institution or Community” Zone on the
Draft Pak Sha O Outline Zoning Plan No. S/NE- PSO/1**

GOVERNMENT, INSTITUTION OR COMMUNITY

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

**Proposed Amendments to the Schedule of Uses of the Notes of
the “Agriculture” Zone on the Draft Pak Sha O Outline Zoning Plan No. S/NE- PSO/1**

AGRICULTURE

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

Planning Intention

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

**Proposed Amendments to the Schedule of Uses of the Notes of
the “Green Belt” Zone on the Draft Pak Sha O Outline Zoning Plan No. S/NE- PSO/1**

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

Proposed Revisions to the Explanatory Statement of the “Village Type Development” Zone of the Draft Pak Sha O Outline Zoning Plan No. S/NE-PSO/1

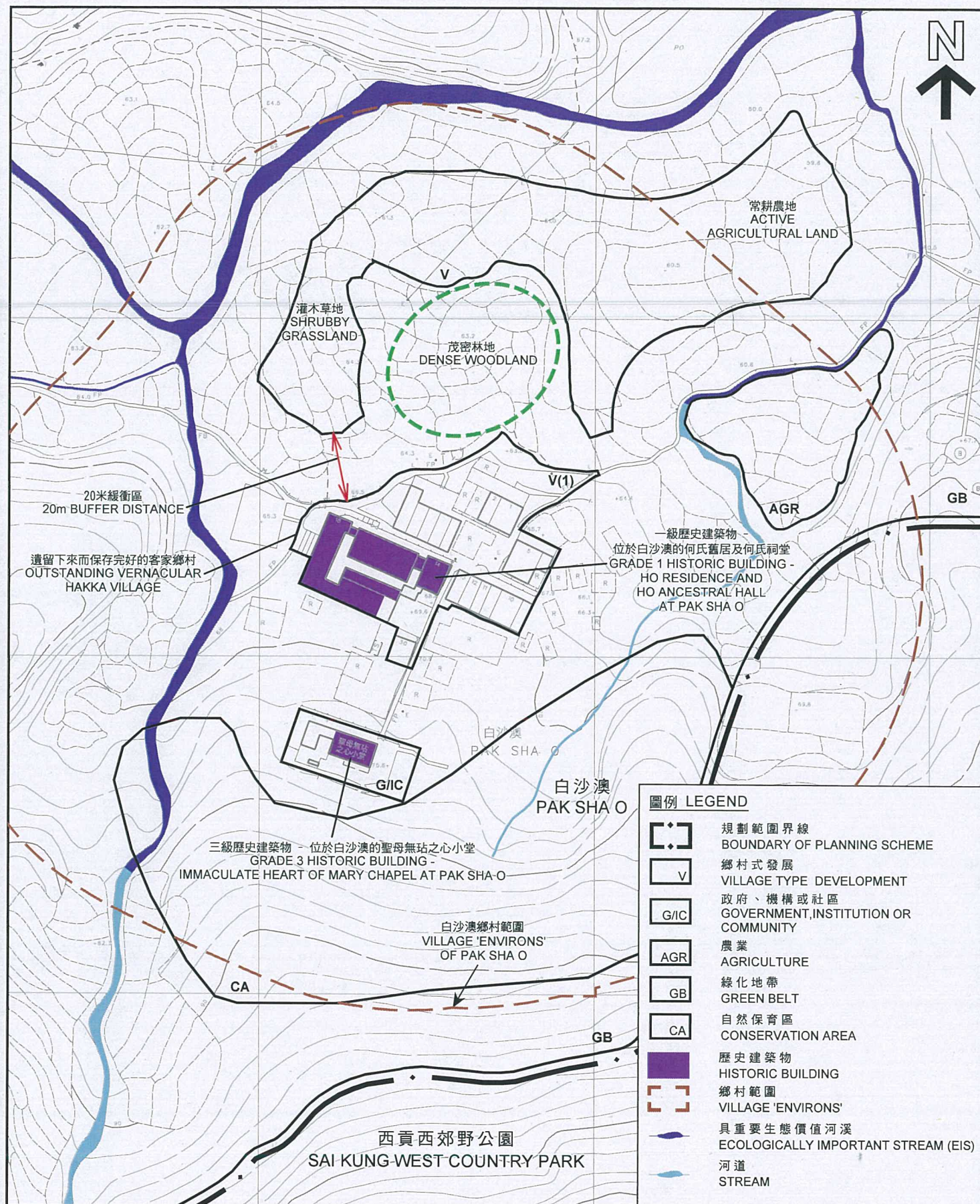
(This does not form part of the proposed amendments to the draft Pak Sha O Outline Zoning Plan No. S/NE-PSO/1)

Paragraphs 9.1.1 and 9.1.3 of the Explanatory Statement are proposed to be amended :

9.1 “Village Type Development” (“V”) : Total Area 1.20 ha

- 9.1.1 The planning intention of this zone is to ***preserve the vernacular Hakka village setting of the existing Pak Sha O and Pak Sha O Ha Yeung villages*** and designate ~~both existing recognized villages and~~ areas of land considered suitable for village expansion ***in harmony with the surroundings***. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. ~~The planning intention of the “Village Type Development(1)” sub-area is to preserve the existing village setting. Selected commercial and community uses serving the needs of the villagers and in support of the village development~~ ***not adversely affecting the character of the villages*** are always permitted ~~on the ground floor of a New Territories Exempted House (other than on land designated “Village Type Development(1)”).~~ Other commercial, community and recreational uses may be permitted on application to the Town Planning Board.
- 9.1.2 Pak Sha O and Pak Sha O Ha Yeung are two recognized villages in the Area. The boundaries of this zone are drawn up having regard to the village ‘environs’, the number of outstanding Small House applications, Small House demand forecast, local topography and site constraints and the high conservation value of the existing village clusters, including Ho Residence and Ho Ancestral Hall (Grade 1) at Pak Sha O and King Siu Sai Kui and Hau Fuk Mun (proposed Grade 1) at Pak Sha O Ha Yeung, of the two villages. Areas of difficult terrain, dense vegetation, stream courses and burial grounds have been avoided as far as possible.
- 9.1.3 Noting that Pak Sha O and Pak Sha O Ha Yeung are outstanding vernacular Hakka villages in the Area and are well-preserved, and that the heritage value of historic buildings partly lies in their original physical environment, any change to the ~~existing~~ vernacular Hakka village setting with possible adverse impact on the heritage value of historic buildings and integrity and ambience of the existing village setting should be avoided. ~~Within the “V(1)” sub-area,~~ ***To this end, a “V” zone separated from the old villages is designated for village expansion, whilst the existing village clusters are zoned “V(1)” where new proposed house development (New Territories Exempted House only) and any demolition of or any addition, alteration and/or modification to or replacement/redevelopment of an existing building requires planning permission from the Board. Prior consultation with AMO of LCSD should be made if any development, redevelopment or rezoning proposals might affect the above historic buildings, new items pending grading assessment and their immediate environs. To avoid possible adverse visual impact to the vernacular Hakka village setting, house development (New Territories Exempted House only) in the separated “V” zone also requires planning permission from the Board.***

- 9.1.4 Except for those specified, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23 m) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft DPA plan, whichever is the greater.
- 9.1.5 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height restriction may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.
- 9.1.6 Some areas are overlooked by steep natural hillsides and may be affected by potential natural terrain landslide hazards. For future development in these areas, the developer(s) may be required to carry out natural terrain hazard study and provide suitable hazard mitigation measures, if found necessary, as part of the development.
- 9.1.7 In accordance with the Environment, Transport and Works Bureau's Technical Circular (Works) No. 5/2005, under the current administrative practice, for development proposals/submissions that may affect natural streams/rivers, the approving/processing authorities at various stages of the development should consult and collate comments from the Agriculture, Fisheries and Conservation Department (AFCD) and relevant authorities and incorporate relevant comments/advice as conditions of approval wherever possible. Accordingly, the Lands Department (LandsD) when processing Small House grant applications in close proximity to existing stream courses, should consult concerned departments including AFCD and the Planning Department to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.
- 9.1.8 As diversion of streams or filling of pond may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.
- 9.1.9 There is neither existing nor proposed public sewer in the Area. In addition, the Area falls entirely within the upper indirect WGG. For any village type development, it should be demonstrated that the water quality within WGG will not be affected by the proposals. In general, the use of septic tank and soakaway systems for sewage treatment and disposal is considered as an unacceptable means for new village developments located in WGGs. There should be demonstrably effective means (such as proper waste water treatment plant) to ensure that the effluent water quality is acceptable to concerned government departments.



本圖於2016年8月15日擬備，所根據的資料為
測量圖編號 8-NW-9B/D, 10A/C
及地政總署於2015年1月3日拍得的航攝照片編號CS56327
PLAN PREPARED ON 15.8.2016
BASE ON SURVEY SHEETS No. 8-NW-9B/D, 10A/C
AND AERIAL PHOTO No. CS56327
TAKEN ON 3.1.2015 BY LANDS DEPARTMENT

平面圖 SITE PLAN

在白沙澳分區計劃大綱草圖編號 S/NE-PSO/1 內
位於白沙澳村的「鄉村式發展」及「鄉村式發展(1)」地帶
"V" AND "V(1)" ZONES AT PAK SHA O VILLAGE
ON THE DRAFT PAK SHA O OUTLINE ZONING PLAN No. S/NE-PSO/1

規劃署
PLANNING DEPARTMENT



參考編號 REFERENCE No.
M/CPE/PSO/16/2

圖 PLAN
1