

[CONFIDENTIAL]

Downgraded on
26 Aug 2011

TOWN PLANNING BOARD

TPB Paper No. 8884

For Consideration by

The Town Planning Board on 12.8.2011

**CONSIDERATION OF THE
DRAFT MAU PING DEVELOPMENT PERMISSION AREA PLAN
NO. DPA/ST-MP/C**

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**CONSIDERATION OF THE
DRAFT MAU PING
DEVELOPMENT PERMISSION AREA PLAN
NO. DPA/ST-MP/C**

1. Introduction

The purpose of this paper is to seek Members' agreement that:

- (a) the draft Mau Ping Development Permission Area (DPA) Plan No. DPA/ST-MP/C (to be renumbered as DPA/ST-MP/1) (**Appendix I**) and its Notes (**Appendix II**) are suitable for exhibition for public inspection under section 5 of the Town Planning Ordinance (the Ordinance); and
- (b) the Explanatory Statement (ES) (**Appendix III**) is suitable to serve as an expression of the planning intention and objectives of the Town Planning Board (the Board) for the draft Mau Ping DPA Plan and that the ES should be issued under the name of the Board.

2. Background

Location and Physical Characteristics (Plans 1, 2b and 3)

- 2.1 The Mau Ping Area (the Area) is encircled by the Ma On Shan Country Park. Currently, it is not served by any vehicular access but is only accessible by a footpath connecting Ma On Shan and Sai Kung. The Area, which is within upper indirect water gathering grounds, is a well-wooded valley, and mainly comprises abandoned agricultural land, woodlands, and the deserted villages of Mau Ping and Wong Chuk Shan. A pristine stream flows from Mau Ping valley through Mui Tsz Lam. Situated in the valley surrounded by the hills of Ma On Shan Country Park, the Area is sheltered from extreme weather and hydrological conditions which contribute to its luxuriant vegetation. The native woodland is known to support populations of rare plant species and some fauna species of conservation interests. The Area is part of the Mui Tsz Lam and Mau Ping Priority Site for Enhanced Conservation under the New Nature Conservation Policy. Besides, the Mau Ping Site of Special Scientific Interest, listed for its floristic importance, is in close proximity to north of the site.

Need for Statutory Plan

- 2.2 The Chief Executive in the 2010-2011 Policy Address has acknowledged the need to regulate land use of the Country Park enclaves to forestall human damage. To meet conservation and social development needs, these Country Park enclaves will be either included into Country Parks, or covered by statutory plans.

- 2.3 The Area is one of the Country Park enclaves that needs to be covered by statutory plan. The Area is of significant ecological and conservation importance. Besides, the Pak Kong - Mui Tsz Lam Trackway is a site of archaeological interest. Any uncontrolled development may affect ecological, landscape and archaeological value in the Area. There is an urgent need to better protect the natural scenic character and ecological value of the Area from uncontrolled development through development control. The DPA plan is to provide planning guidance and development control pending the preparation of an Outline Zoning Plan (OZP) and to enable enforcement actions to be taken against any unauthorized development. It will provide a mechanism for the Commissioner for Heritage and the Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department to protect the historical and archaeological interests of the Area. Having regard to the above, preparation of a DPA plan will provide interim planning guidance as well as enforcement actions to be taken against any unauthorized developments.
- 2.4 On 14.7.2011, under the power delegated by the Chief Executive, the Secretary for Development directed the Board, under section 3(1)(b) of the Ordinance, to prepare a draft plan designating Mau Ping as a DPA.

3. Object of the Plan

- 3.1 The object of the draft DPA plan is to delineate the extent of the Area and to set out the types of developments and uses which are permitted at all times and such types of development and uses that may be permitted with or without conditions on application to the Board within the boundaries of the Area.
- 3.2 The draft DPA plan is to provide planning guidance and to facilitate development control within the Area during the period required for detailed analysis of the land use pattern, study of infrastructural provisions and examination of development options for the formulation of an OZP. The draft DPA plan will be replaced by an OZP within three years.

4. The Plan Area (Appendix I)

Existing land uses

- 4.1 The Area covers a total area of about 45 ha, and is encircled by the Ma On Shan Country Park on all sides. The Area is not served by any vehicular access but is only accessible by a footpath connecting Ma On Shan and Sai Kung.
- 4.2 The existing land uses mainly include the following:

Recognized Village (Plan 2b and Site Photos 1 – 8)

- (a) The recognized villages within the Area are Mau Ping (including Mau Ping San Uk and Mau Ping Lo Uk) and Wong Chuk Shan which have been deserted with some ruins and village houses in dilapidated conditions except a village house. There is an ancestral hall at Mau Ping San Uk which has been renovated.

- (b) The village 'environs' ('VE') of Mau Ping and Wong Chuk Shan are shown on **Plan 2b**. According to the District Lands Office/Sha Tin of the Lands Department, since the two recognized villages have been deserted and it is therefore expected that no Small House application would be received in the near future.

Agricultural land

- (c) Fallow agricultural land spreads in the valley, in particular around some ruin structures of village houses. Due to the lack of maintenance, these fallow agricultural land in the Area are generally covered with shrubs and trees.

Woodland/shrubland (Plan 3 and Site Photos 9 – 12)

- (d) Since the Area is situated in the valley surrounded by the hills of Ma On Shan Country Park, it is predominantly consisted of native woodland. Besides, the Mau Ping Site of Special Scientific Interest, listed due to the floristic importance, is in close proximity to north of the site. The Area supports a diversity of native plants with rare Fung Shui wood species and species of amphibians, birds and mammals with conservation interests, some of which are protected under the Wild Animals Protection Ordinance.

- (e) The woodland together with the adjoining Ma On Shan Country Park form a continuum of woodland habitat which complement the overall naturalness and landscape beauty of the country park.

Stream courses (Site Photos 11 and 12)

- (f) There is a natural pristine stream flowing from Mau Ping valley through Mui Tsz Lam. The habitat diversity, including woodland, abandoned agricultural and natural stream course supports diversity of flora and fauna.

Cultural Heritage Interest

- 4.3 There is a site of archaeological interest in the Area, namely Pak Kong – Mui Tsz Lam Trackway. Upon publication of a DPA plan, AMO and the Commissioner for Heritage's Office of the Development Bureau will be consulted on any development, redevelopment or rezoning proposals which may affect the archaeological interest and its environs.

Land ownership

- 4.4 The majority of land in the Area (about 75%) is Government land, and the remaining 25% are private land comprising mainly agricultural land and some building lots.

Transport and accessibility

- 4.5 At present, the Area is currently not served by any vehicular access but is only accessible by a footpath connecting Ma On Shan and Sai Kung.

5. Land Use Proposals

General Planning Intention

- 5.1 The general planning intention of the Area is to protect its nature conservation and landscape value which complements the overall naturalness and the landscape beauty of the surrounding Ma On Shan Country Park. The planning intention is also to reflect the existing recognized villages of Mau Ping and Wong Chuk Shan.

“Village Type Development” (“V”): Total Area 1.25 ha (Plans 2c and 2d)

- 5.2 The planning intention of this zone is for development of Small House by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern and efficient use of land.
- 5.3 The recognized villages within the Area are Mau Ping (including Mau Ping San Uk and Mau Ping Lo Uk) and Wong Chuk Shan. Noting that the Area being within upper indirect water gathering grounds, the boundaries of “V” zones are drawn up provisionally having regard to the existing clusters and building structures, outstanding Small House demand, and existing site conditions. Areas of difficult terrain, dense and mature vegetation, and ecologically sensitive areas are not included. The boundaries of the “V” zones will be further reviewed and defined during the preparation of OZP stage to take account of the results of relevant assessments/studies on various aspects including Small House demand and developments, conservation value, the environment, infrastructure, landscape character, etc.
- 5.4 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 activity.

“Unspecified Use” : Total Area 44.01 ha

- 5.5 Given the significant ecological and conservation importance of the Area, the Area, except the land within the “V” zone, is designated as “Unspecified Use” pending further and additional studies to establish the appropriate uses for the Area. This land use designation is primarily intended for giving statutory protection to the Area subject to further studies. Under this land use designation, apart from the ‘Agricultural Use’ and some uses which are permitted in the covering Notes of the Plan, all uses and developments will require planning permission from the Board. Besides, if diversion of stream, land filling/excavation and pond filling is required for the always permitted uses (except the public works implemented and coordinated by the Government), permission from the Board will be required. This control will help properly regulate and control development and conserve the existing topography and natural vegetation in the Area.
- 5.6 Detailed proposals for the Area are set out in the ES (Appendix III).

6. **Notes of the Plan (Appendix II)**

- 6.1 Attached to the draft DPA plan is a set of Notes that shows the types of uses or developments which are always permitted within the Area and other uses for which planning permission from the Board should be sought. The provision for application for planning permission under section 16 of the Ordinance allows flexibility in land-use planning and control of development to meet the changing needs.
- 6.2 The draft Notes are formulated on the basis of the latest set of Master Schedule of Notes (MSN) endorsed by the Board whilst having regard to the peculiar characteristics of the Area.

7. **Plan Number**

Upon gazetting, the draft Mau Ping DPA Plan will be renumbered to DPA/ST-MP/1.

8. **Consultation**

- 8.1 The draft DPA Plan together with the Notes and ES have been circulated to the relevant Government bureaux and departments for comments.
- 8.2 Comments received have been incorporated into the draft DPA plan, its Notes or ES as appropriate. On 8.8.2011, the draft DPA Plan was also endorsed by circulation by New Territories District Planning Conference (NTDipCon) for submission to the Board.
- 8.3 The Sha Tin District Council (STDC) and the Sha Tin Rural Committee (STRC) have not been consulted due to the confidential nature of the plan. However, the STDC and STRC will be consulted on the draft DPA Plan after its publication under section 5 of the Ordinance.

9. **Decision Sought**

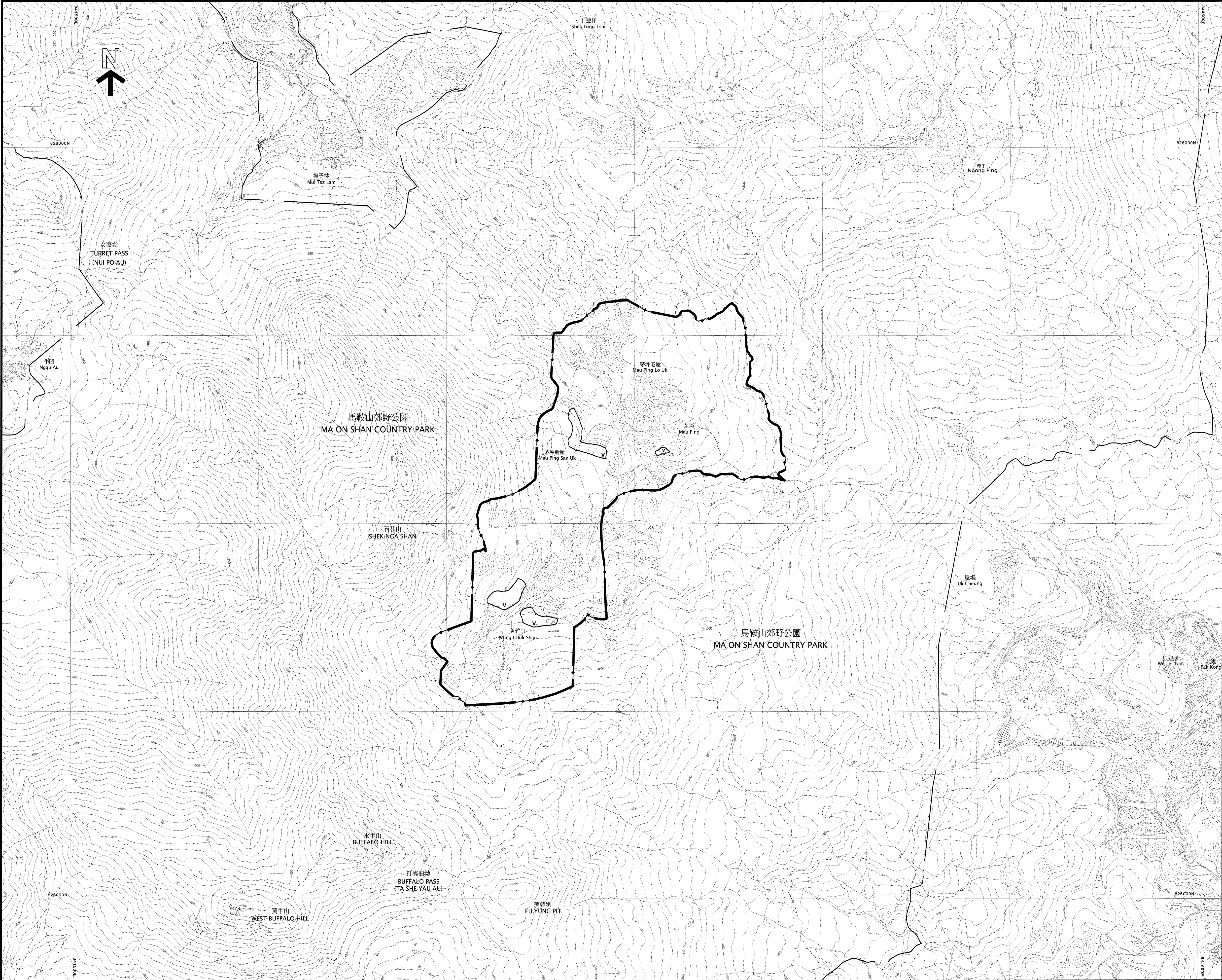
Members are invited to :

- (a) agree that the draft Mau Ping DPA Plan No. DPA/ST-MP/C (to be renumbered to DPA/ST-MP/1) (**Appendix I**) and its Notes (**Appendix II**) are suitable for exhibition for public inspection under section 5 of the Ordinance;
- (b) agree that the ES (**Appendix III**) is suitable to serve as an expression of the planning intention and objectives of the Board for the draft Mau Ping DPA Plan and that the ES should be issued under the name of the Board; and
- (c) agree that a briefing on the draft DPA Plan will be conducted for the STDC and STRC after its publication under section 5 of the Ordinance.

Attachments

Appendix I	Draft Mau Ping Development Permission Area Plan No. DPA/ST-MP/C
Appendix II	Notes of the Draft Mau Ping Development Permission Area Plan No. DPA/ST-MP/C
Appendix III	Explanatory Statement of the Draft Mau Ping Development Permission Area Plan No. DPA/ST-MP/C
Plan 1	Location Plan of Mau Ping
Plan 2a	Planning Scheme Boundary of Mau Ping Development Permission Area
Plan 2b	Village Environs and Land Ownership of Mau Ping
Plan 2c	Proposed "Village Type Development" of Mau Ping
Plan 2d	Existing Village Houses and Ruined Structures within the Proposed "V" zone in Mau Ping
Plan 3	Aerial photo
Plans 4a to 4g	Site Photos

**PLANNING DEPARTMENT
AUGUST 2011**

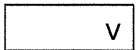


圖例
NOTATION

ZONES

地帶

VILLAGE TYPE DEVELOPMENT



鄉村式發展

MISCELLANEOUS

其他

BOUNDARY OF DEVELOPMENT

PERMISSION AREA



發展審批地區界線

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	大約面積及百分率 APPROXIMATE AREA & %			用途
	公頃 HECTARES	%	百分率	
VILLAGE TYPE DEVELOPMENT	1.25	2.76		鄉村式發展
UNSPECIFIED USE	44.01	97.24		非指定用途
TOTAL AREA OF DEVELOPMENT PERMISSION AREA	45.26	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

按照城市規劃條例第 5 條展示的
發展審批地區草圖
DRAFT DEVELOPMENT PERMISSION AREA PLAN EXHIBITED
UNDER SECTION 5 OF THE TOWN PLANNING ORDINANCE ON

SECRETARY
TOWN PLANNING BOARD

城市規劃委員會秘書

茅坪發展審批地區圖

MAU PING DEVELOPMENT PERMISSION AREA PLAN

SCALE 1:5,000 比例尺

米 METRES 100 0 200 400 600 800 METRES 米

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/ST-MP/C

DRAFT MAU PING
DEVELOPMENT PERMISSION AREA PLAN NO. DPA/ST-MP/C

(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) Except to the extent that paragraph (3) applies, any use or development falling within the boundaries of the 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.
- (5) 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.
- (6) Boundaries of the Plan and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.

- (7) The following uses or developments are always permitted on land falling within the boundaries of the Plan except where the uses or developments are specified in Column 2 of the Notes of the zone :
- (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, public utility pipeline, electricity mast, lamp pole, telephone booth, telecommunications radio base station 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, waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government;
 - (e) rebuilding of New Territories Exempted Houses;
 - (f) replacement of an existing domestic building, i.e., a domestic building which was in existence on the date of the publication in the Gazette of the notice of this draft development permission area plan, by a New Territories Exempted House;
 - (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;
 - (h) in areas not zoned or set apart under section 4(1) of the Town Planning Ordinance in the development permission area, the uses stipulated in the schedule forming Annex A of these Notes; and
 - (i) in areas zoned or set apart under section 4(1) of the Town Planning Ordinance in the development permission area, the uses stipulated in column 1 of the relevant zoning schedule forming part of Annex B of these Notes.
- (8) 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.
- (9) 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 MAU PING
DEVELOPMENT PERMISSION AREA PLAN NO. DPA/ST-MP/C

Schedule of Uses

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Annex B	
I VILLAGE TYPE DEVELOPMENT	2

Use Always Permitted in an "Unspecified Use" area
(Being an area not zoned or set apart under
Section 4(1) of the Town Planning Ordinance)

Agricultural Use

Remarks

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

VILLAGE TYPE DEVELOPMENT

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

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

Eating Place
Library
School
Shop and Services

(Please see next page)

VILLAGE TYPE DEVELOPMENT (cont'd)

Planning Intention

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

Remarks

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

DRAFT MAU PING
DEVELOPMENT PERMISSION AREA PLAN NO. DPA/ST-MP/C

EXPLANATORY STATEMENT

DRAFT MAU PING
DEVELOPMENT PERMISSION AREA PLAN NO. DPA/ST-MP/C

EXPLANATORY STATEMENT

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DRAFT MAU PING
DEVELOPMENT PERMISSION AREA PLAN NO. DPA/ST-MP/C

(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 Mau Ping Development Permission Area Plan No. DPA/ST-MP/C. 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 14 July 2011, 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 Mau Ping area as a development permission area (DPA).
- 2.2 On X XXX, 2011, the draft Mau Ping DPA Plan No. DPA/ST-MP/C (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 delineate the extent of the Mau Ping DPA (the Area) and to set out the types of developments and uses which are permitted at all times and such types of developments and uses that may be permitted with or without conditions on application to the Board within the boundaries of the Area.
- 3.2 The Plan is a small-scale plan and the planning scheme boundary may be subject to minor adjustments as detailed planning and development proceed.
- 3.3 The Plan is to provide planning guidance and to facilitate development control within the Area during the period required for detailed analysis of the land use pattern, study of infrastructural provisions and examination of development options for the formulation of an outline zoning plan (OZP).

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 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 development to meet the changing needs.

- 4.2 For the guidance of the general public, a set of definitions that explains some of the terms used in the Notes may be obtained from the Technical Services Division of the Planning Department and can be downloaded from the Board's website at <http://www.info.gov.hk/tpb>.

5. THE EXISTING SITUATION

- 5.1 The Mau Ping DPA Area, comprising the largely abandoned villages of Mau Ping and Wong Chuk Shan, is encircled by Ma On Shan Country Park and located at the top of a hill saddle between Ma On Shan and Sai Kung. It is only accessible by a footpath connecting Ma On Shan and Sai Kung.
- 5.2 A pristine stream flows from Mau Ping valley through Mui Tsz Lam. The Area is a part of the Mui Tsz Lam and Mau Ping Priority Site for Enhanced Conservation under the New Nature Conservation Policy, and is within upper indirect water gathering grounds. Besides, the Mau Ping Site of Special Scientific Interest is in close proximity to the north of the Area. The Area is of significant ecological and conservation importance which consists largely of native woodland that is known to support populations of rare plants and fauna species of conservation interests.
- 5.3 The Pak Kong - Mui Tsz Lam Trackway, which is a site of archaeological interest identified by the Antiques and Monuments Office, traverses the Area, connecting Ma On Shan with Sai Kung. The trackway is frequented by visitors.

6. NEED FOR PLANNING GUIDANCE AND CONTROL

The Area is rural and natural in character with a scenic setting. There are abandoned village settlements, woodland, shrubland and fallow agricultural land. The Pak Kong - Mui Tsz Lam Trackway is an archaeological interest in the Area. Any uncontrolled development may affect landscape and archaeological interest in the Area. There is an urgent need to better protect the natural scenic character of the Area from uncontrolled development and avoid disturbance to areas with high landscape and ecological value. The DPA plan is to provide planning guidance and development control pending the preparation of an OZP and to enable enforcement actions to be taken against any unauthorized development.

7. THE DEVELOPMENT PERMISSION AREA

7.1 Plan Area

The Area covers an area of 45 ha, and is encircled by the Ma On Shan Country Park on all sides. The boundary of the Area is shown by a heavy broken line

on the Plan.

7.2 General Planning Intention

The general planning intention of the Area is to protect its conservation and landscape value which complements the overall naturalness and the landscape beauty of the surrounding Ma On Shan Country Park. The planning intention is also to reflect the existing recognized villages of Mau Ping and Wong Chuk Shan.

7.3 Population

Based on the population data from the 2006 By-census, there is no population in the Area.

7.4 Land Use Zonings and Intended Uses within "Unspecified Use" Area

7.4.1 "Village Type Development" ("V") : Total Area 1.25 ha

- (a) The planning intention of this zone is to reflect existing recognized villages. 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 infrastructure and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Board.
- (b) The recognized villages within the Area are Mau Ping and Wong Chuk Shan. Noting that the Area being within upper indirect water gathering grounds, the boundaries of "V" zones are drawn up provisionally around existing clusters having regard to the existing village clusters and building structures, outstanding Small House demand and existing site conditions. Areas of difficult terrain, dense and mature vegetation, and ecologically sensitive areas are not included. The boundaries of the "V" zones will be further reviewed and defined during the preparation of OZP stage to take account of the results of relevant assessments/studies on various aspects including Small House demand and developments, conservation value, the environment, infrastructure, landscape character, etc.
- (c) 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-storey (8.23 m) or the height of the building which was in existence on the date of publication in the Gazette of the notice of this draft DPA plan, whichever is the greater.

- (d) 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.
- (e) 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 activity.

7.4.2 “Unspecified Use” : Total Area 44.01 ha

The Area is of significant ecological and conservation importance which consists largely of native woodland that is known to support populations of rare plants and fauna species of conservation interests. The Mau Ping Site of Special Scientific Interest is in close proximity to north of the Area, and the Area is en route of the Pak Kong - Mui Tsz Lam Trackway, which is an archaeological interest. To protect the naturalness and conservation value of the Area, planning guidance and development control are considered necessary. Owing to the urgency to establish planning control under the DPA plan, the Area, except land within the “V” zone, has been designated as “Unspecified Use” pending detailed analysis and studies to establish the appropriate land uses in the course of the preparation of OZP.

7.5 Transport and Utility Services

7.5.1 Road Network and Footpath

At present, the Area is only accessible by a walking trail linking Ma On Shan and Sai Kung.

7.5.2 Utility Services

The Mau Ping area is provided with electricity and telephone services. There are no water supply, sewerage and drainage systems in the Area. Any new development proposal should be required to demonstrate that no adverse drainage and sewage impact would be caused on the Area.

7.6 Cultural Heritage

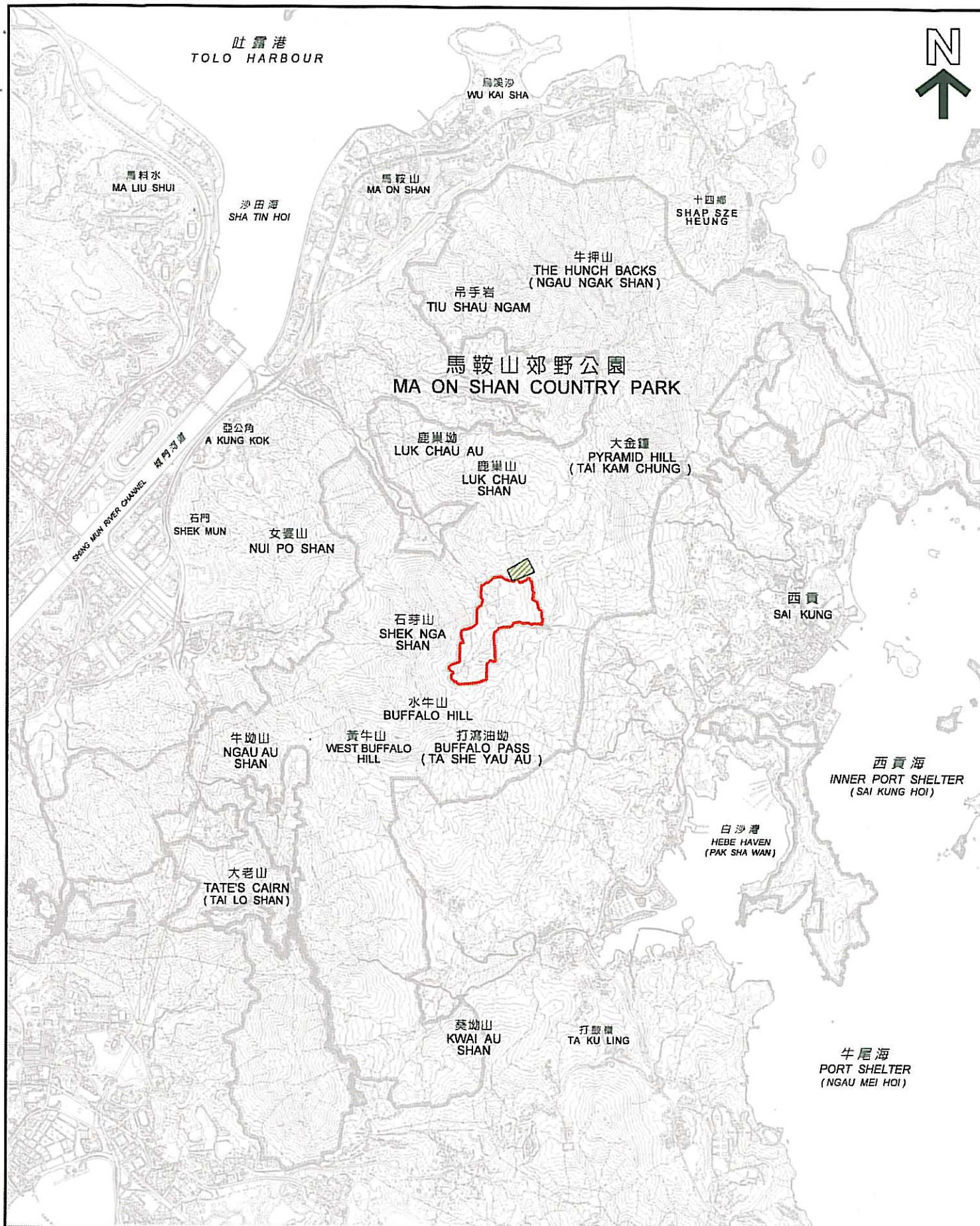
The historic Pak Kong – Mui Tsz Lam Trackway traverses the Area. The historical and archaeological interests in the Area warrant thoughtful consideration of cultural heritage preservation. Details of this site of archaeological interest have been uploaded onto the official website of the Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department at <http://www.amo.gov.hk/>. Prior consultation with AMO and the Commissioner for Heritage’s Office of the Development Bureau should be made if any development, redevelopment or rezoning proposals might affect the above site of archaeological interest and its immediate environs.

8. PLANNING CONTROL WITHIN THE DEVELOPMENT PERMISSION AREA


- 8.1 The types of permitted developments and uses on land within the Area are listed in the Notes to the Plan. Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted developments and uses are always permitted and no separate permission is required.
- 8.2 Uses of land or building which were in existence immediately before the first publication in the Gazette of this notice of the draft DPA plan and which are not in compliance with the terms of the Plan may have adverse impact on the environment, drainage and traffic of the Area. Although no action is required to make such use conform to this Plan, any material change of such use or any other development (except minor alteration and/or modification to the development of the land or building in respect of such use which is always permitted) must be always permitted in terms of the Plan or, if permission is required, in accordance with a permission granted by the Board. The Board will consider these applications on their individual merits. Those alteration and/or modification works which may lead to an environmental improvement or upgrading to the Area may be considered favourably by the Board.
- 8.3 Planning applications to the Board will be assessed on individual merits. In general, the Board, in considering the planning applications, will take into account all relevant planning considerations which may include the departmental outline development plans/layout plans, and the guidelines published by the Board. The outline development plans/layout plans are available for public inspection at the Planning Department. Guidelines published by the Board are available from the Board's website, the Secretariat of the Board and the Technical Services Division of the Planning Department. Application forms and Guidance Notes for planning applications can be downloaded from the Board's website and are available from the Secretariat of the Board, 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.
- 8.4 Any development, other than those referred to in paragraph 8.1 above or in conformity with this draft DPA plan or with the permission of the Board, undertaken or continued on or after the date of the first publication in the Gazette of the notice on land included in the DPA plan may be subject to enforcement proceedings under the Ordinance. Any diversion of streams, filling of land/pond or excavation of land within land designated as "Unspecified Use" or any diversion of stream or filling of pond within "V" zone on or after 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.

- 8.5 It is intended that the DPA plan published by the Board will be replaced, within three years, by an OZP. Under the provisions of section 20(5) of the Ordinance, a draft DPA plan is effective for a period of three years after the notification in the Gazette. Extension of one additional year may be given by the Chief Executive in Council. The provision of enforcement will continue to be applicable to the Area after the DPA plan is replaced by an OZP.

TOWN PLANNING BOARD
AUGUST 2011



 擬議發展審批地區界線
PROPOSED DEVELOPMENT
PERMISSION AREA BOUNDARY

 具特殊科學價值地點
SSSI

本摘要圖於2011年5月23日擬備，
所根據的資料為地圖組別HM20C
編號7、8、11和12
EXTRACT PLAN PREPARED ON 23.5.2011
BASED ON MAP SERIES HM20C
SHEETS 7, 8, 11 & 12

茅坪的位置圖 LOCATION PLAN OF MAU PING

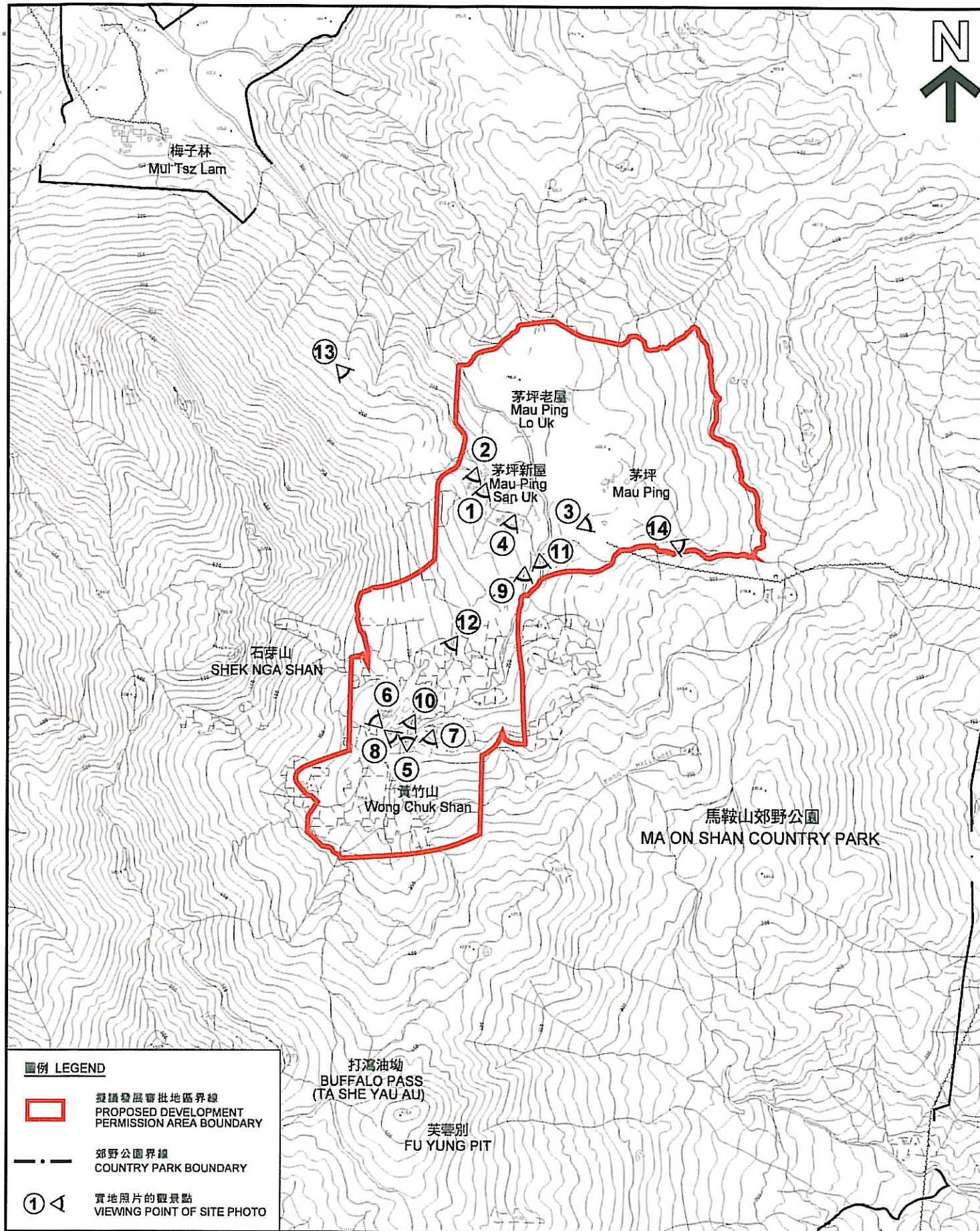
米 1000 0 1000 2000 米
METRES SCALE 1 : 50 000 比例尺

規 劃 署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/NP_MP/11/1

圖 PLAN
1



圖例 LEGEND

- 擬議發展審批地區界線
PROPOSED DEVELOPMENT
PERMISSION AREA BOUNDARY
- 郊野公園界線
COUNTRY PARK BOUNDARY
- 1 實地照片的觀景點
VIEWING POINT OF SITE PHOTO

本摘要圖於2011年7月12日擬備
所根據的資料為HP5BW編號
7-SE-B 及 7-SE-D
EXTRACT PLAN PREPARED ON 12.7.2011
BASED ON HP5BW SHEETS No.
7-SE-B & 7-SE-D

**茅坪發展審批地區的規劃範圍界線
PLANNING SCHEME BOUNDARY
OF MAU PING
DEVELOPMENT PERMISSION AREA**

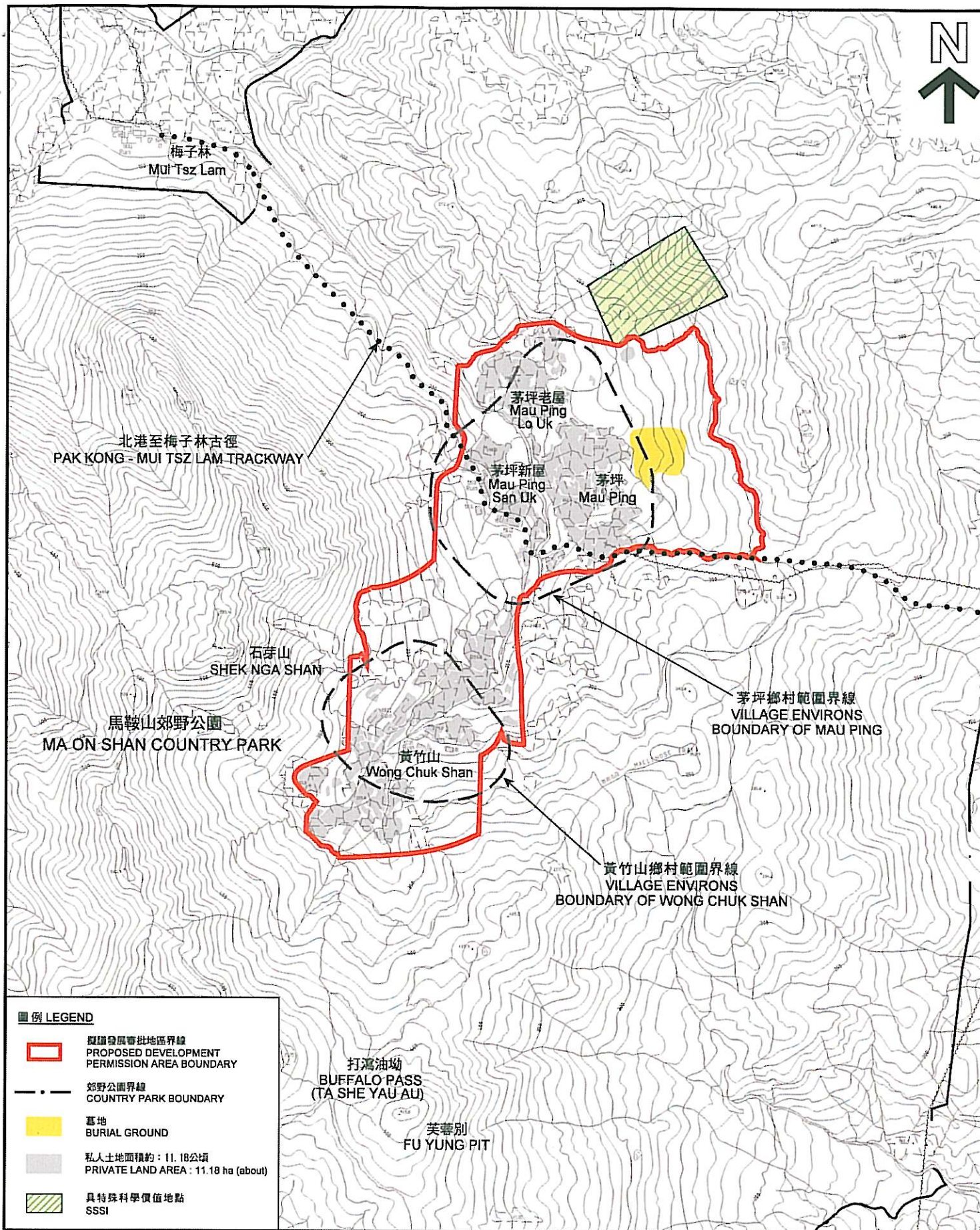
SCALE 1 : 10 000 比例尺
米 200 0 200 400 米
METRES

**規劃署
PLANNING
DEPARTMENT**



參考編號
REFERENCE No.
M/NP_MP/11/1

圖 PLAN
2a



圖例 LEGEND

- 擬議發展審批地區界線
PROPOSED DEVELOPMENT
PERMISSION AREA BOUNDARY
- 郊野公園界線
COUNTRY PARK BOUNDARY
- 墓地
BURIAL GROUND
- 私人土地面積約：11.18公頃
PRIVATE LAND AREA : 11.18 ha (about)
- 具特殊科學價值地點
SSSI

本摘要圖於2011年5月23日提備
所根據的資料為HP5BW編號
7-SE-B 及 7-SE-D
EXTRACT PLAN PREPARED ON 23.5.2011
BASED ON HP5BW SHEETS No.
7-SE-B & 7-SE-D

茅坪的鄉村範圍及土地業權
VILLAGE 'ENVIRONS' AND
LAND OWNERSHIP OF MAU PING

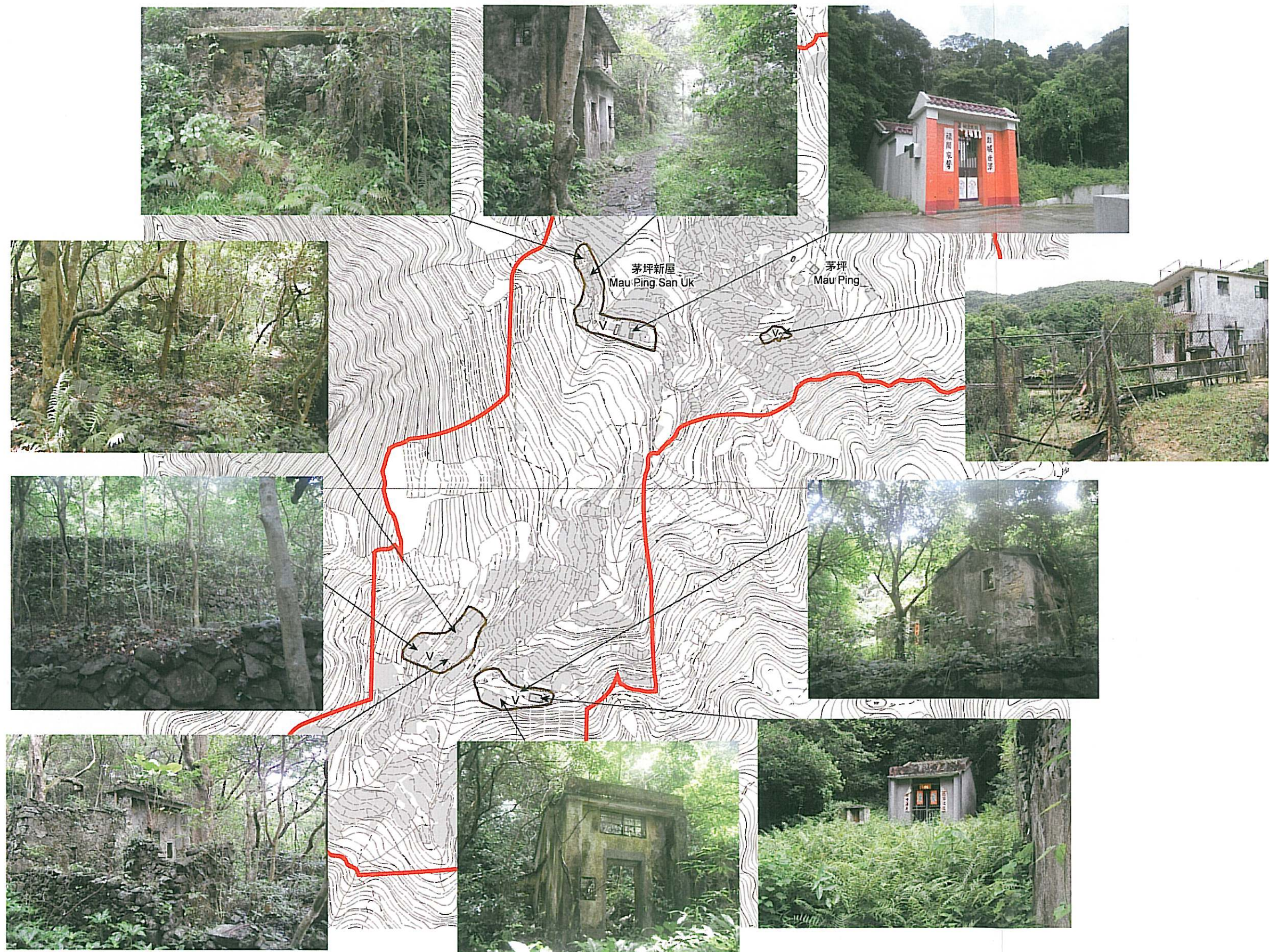
SCALE 1 : 10 000 比例尺
米 200 0 200 400 米
METRES

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/NP_MP/11/1

圖 PLAN
2b



圖例 LEGEND

-  擬議發展審批地區界線
PROPOSED DEVELOPMENT
PERMISSION AREA BOUNDARY
-  擬議鄉村式發展
PROPOSED VILLAGE TYPE
DEVELOPMENT
-  私人土地
PRIVATE LAND

本摘要圖於2011年7月28日擬備
所根據的資料為測量圖編號 7-SE-8D, 9C, 9D, 10C, 13B, 13D,
14A, 14B, 14C, 14D, 15A 及 15C
EXTRACT PLAN PREPARED ON 28.7.2011
BASED ON SURVEY SHEETS No. 7-SE-8D, 9C, 9D, 10C, 13B, 13D,
14A, 14B, 14C, 14D, 15A & 15C

茅坪的擬議鄉村式發展
PROPOSED VILLAGE TYPE DEVELOPMENT OF MAU PING

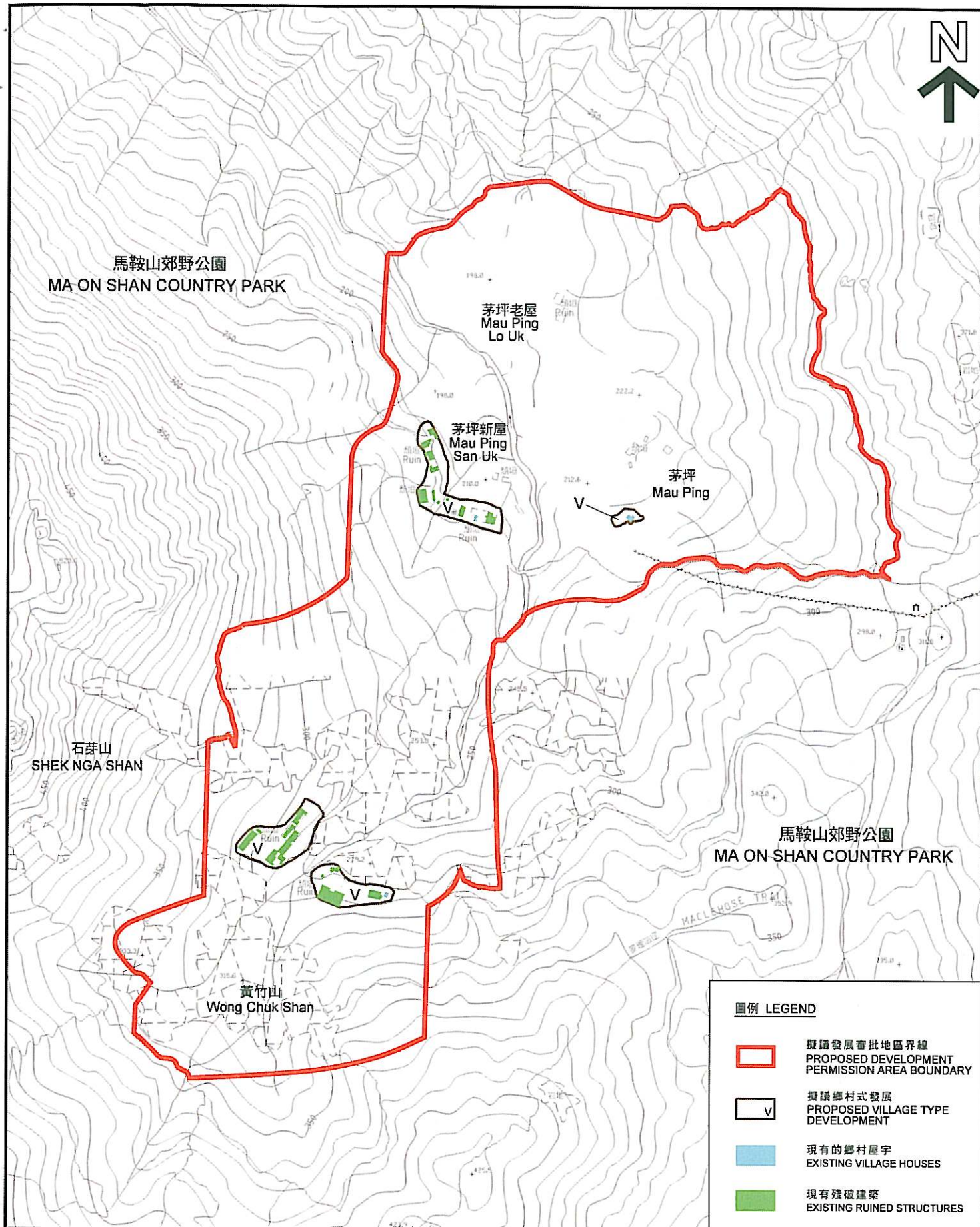
SCALE 1 : 5 000 比例尺
METRES 100 0 100 200 METRES

規劃署
PLANNING DEPARTMENT



參考編號 REFERENCE No.
M/NP_MP/11/1

圖 PLAN
2c



本摘要圖於2011年7月29日擬備
所根據的資料為HP5BW編號
7-SE-B 及 7-SE-D
EXTRACT PLAN PREPARED ON 29.7.2011
BASED ON HP5BW SHEETS No.
7-SE-B & 7-SE-D

在茅坪的擬議鄉村式發展地帶內
現有的鄉村屋宇及殘破建築
EXISTING VILLAGE HOUSES AND
RUINED STRUCTURES WITHIN
THE PROPOSED "V" ZONE
IN MAU PING

SCALE 1 : 6 000 比例尺
米 100 0 100 200 米
METRES

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/NP_MP/11/1

圖 PLAN
2d



梅子林
Mui Tsz Lam

茅坪老屋
Mau Ping Lo Uk

茅坪新屋
Mau Ping San Uk

茅坪
Mau Ping

石芽山
SHEKNGA SHAN

黃竹山
Wong Chuk Shan

馬鞍山郊野公園
MA ON SHAN COUNTRY PARK

打鼓油坳
BUFFALO PASS
(TA SHE YAU AU)

芙蓉別
FU YUNG PIT



擬議發展審批地區界線
PROPOSED DEVELOPMENT
PERMISSION AREA BOUNDARY

本摘要圖於2011年5月23日擬備，
所根據的資料為地政總署
於2010年11月9日拍得的航攝照片
編號CW87737 和 CW87771
EXTRACT PLAN PREPARED ON 23.5.2011
BASED ON AERIAL PHOTOS No.
CW87737 & CW87771
TAKEN ON 9.11.2010 BY
LANDS DEPARTMENT

航攝照片 AERIAL PHOTO

茅坪發展審批地區的規劃範圍界線
PLANNING SCHEME BOUNDARY
OF MAU PING
DEVELOPMENT PERMISSION AREA

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/NP_MP/11/1

圖 PLAN
3



茅坪新屋的殘破村屋
VILLAGE HOUSES IN DILAPIDATED CONDITIONS AT MAU PING SAN UK

本圖於2011年7月12日製備，所根據的資料為攝於2011年6月15日的實地照片
PLAN PREPARED ON 12.7.2011 BASED ON SITE PHOTOS TAKEN ON 15.6.2011

實地照片 SITE PHOTO

茅坪
MAU PING

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/NP_MP/11/1

圖 PLAN
4a



茅坪新屋的村屋及祠堂
A VILLAGE HOUSE AND ANCESTRAL HALL AT MAU PING SAN UK

實地照片 SITE PHOTO

茅坪
MAU PING

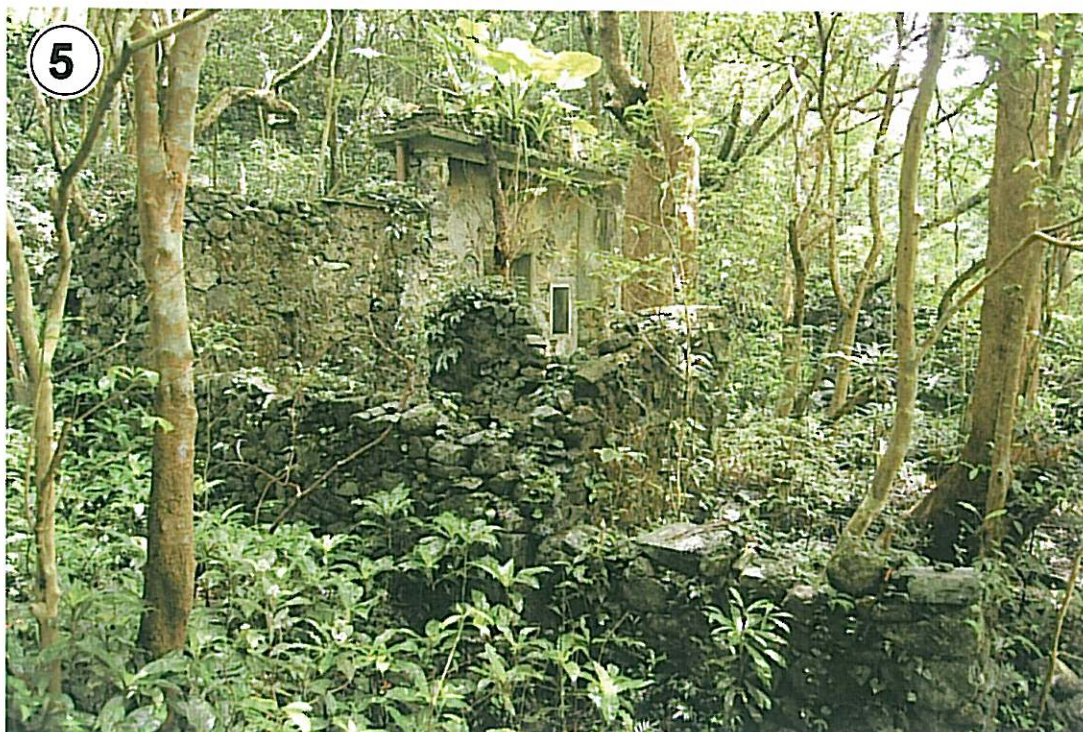
規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/NP_MP/11/1

圖 PLAN
4b

本圖於2011年7月12日擬備，所根據的
資料為攝於2011年6月15日的實地照片
PLAN PREPARED ON 12.7.2011 BASED ON
SITE PHOTOS TAKEN ON 15.6.2011



黃竹山的殘破村屋
VILLAGE HOUSES IN DILAPIDATED CONDITIONS AT WONG CHUK SHAN

本圖於2011年7月12日擬備，所根據的資料為攝於2011年6月15日的實地照片
PLAN PREPARED ON 12.7.2011 BASED ON SITE PHOTOS TAKEN ON 15.6.2011

實地照片 SITE PHOTO

茅坪
MAU PING

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/NP_MP/11/1

圖 PLAN
4c



黃竹山的殘破村屋
VILLAGE HOUSES IN DILAPIDATED CONDITIONS AT WONG CHUK SHAN

實地照片 SITE PHOTO

茅坪
MAU PING

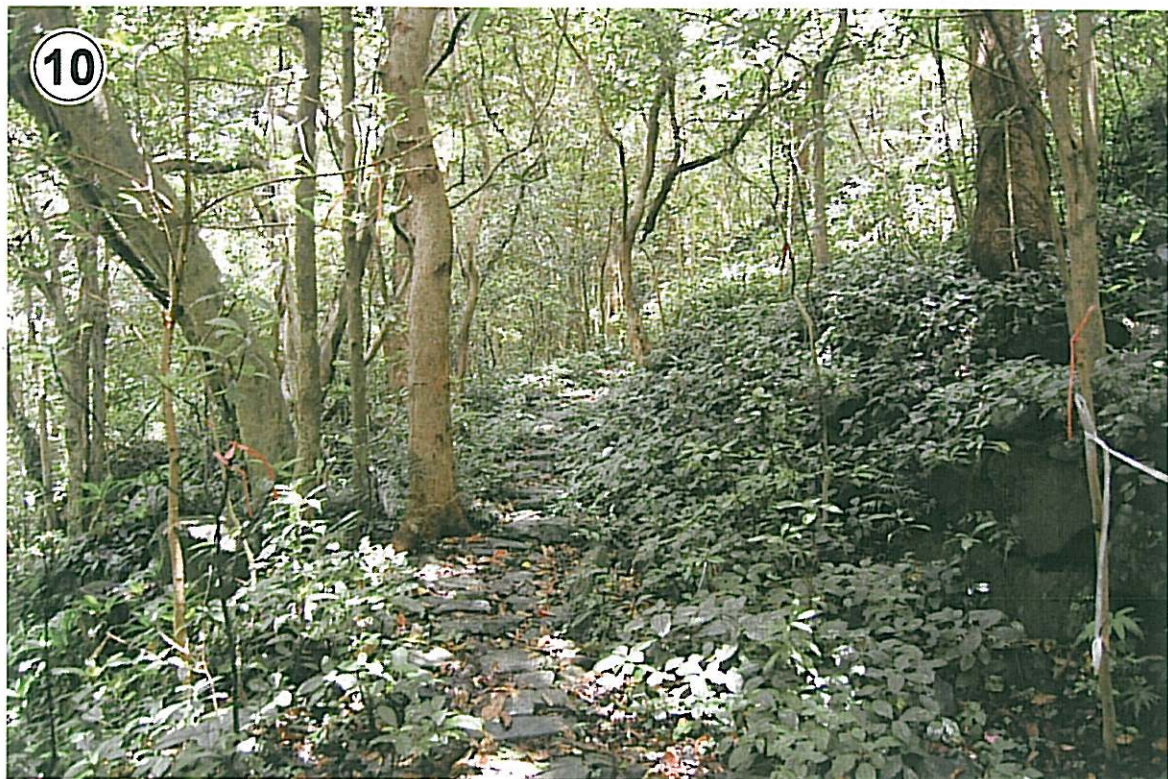
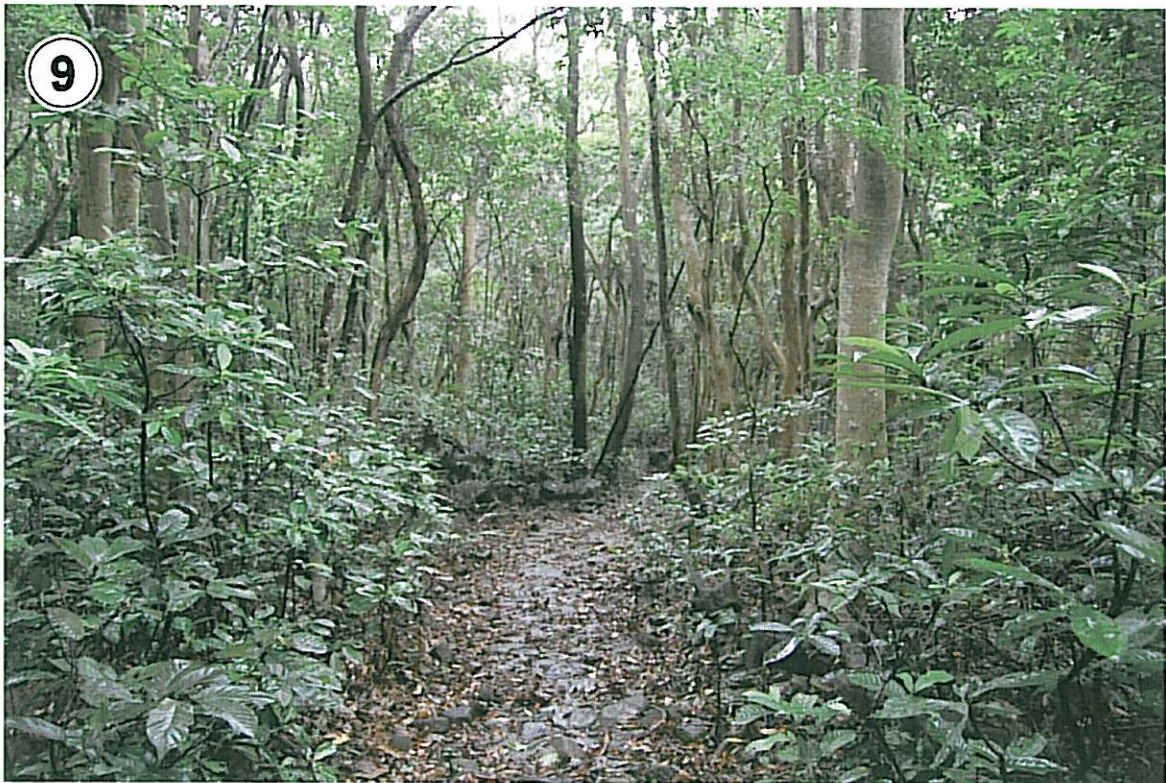
本圖於2011年7月12日擬備，所根據的
資料為攝於2011年6月15日的實地照片
PLAN PREPARED ON 12.7.2011 BASED ON
SITE PHOTOS TAKEN ON 15.6.2011

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/NP_MP/11/1

圖 PLAN
4d



山坡長滿植物及周邊的林地
SLOPES AND SURROUNDING AREA COVERED WITH
WOODLAND AND DENSE NATURAL VEGETATION

實地照片 SITE PHOTO

茅坪
MAU PING

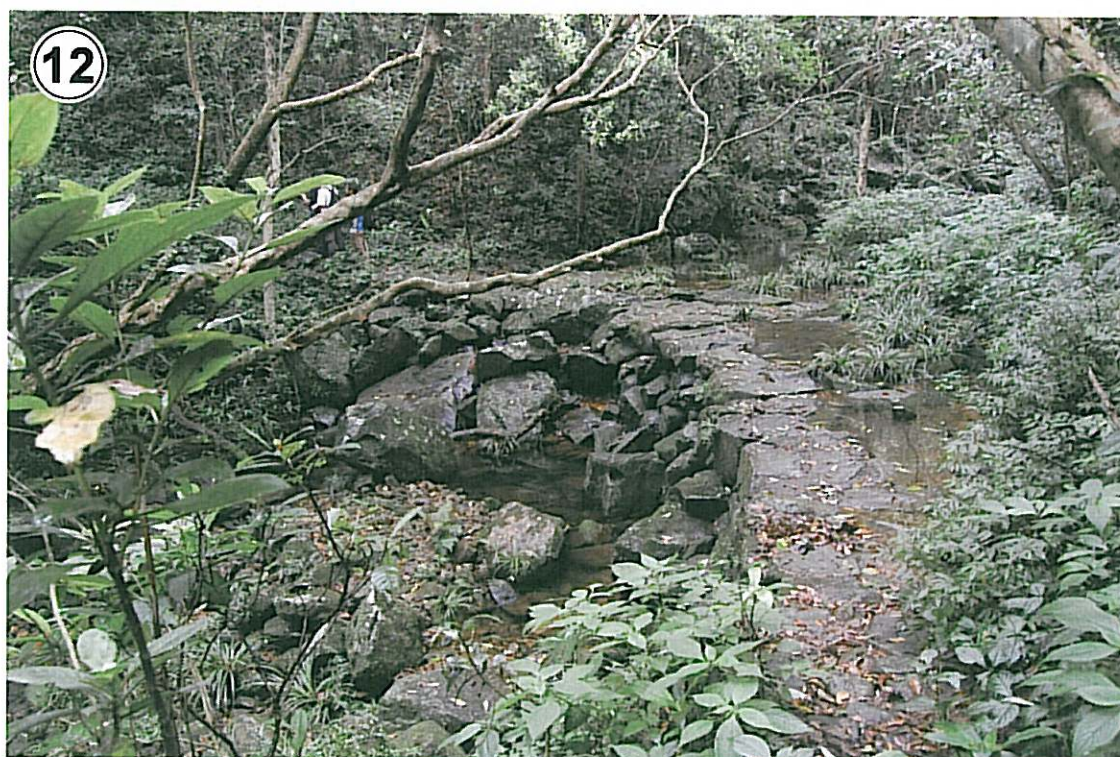
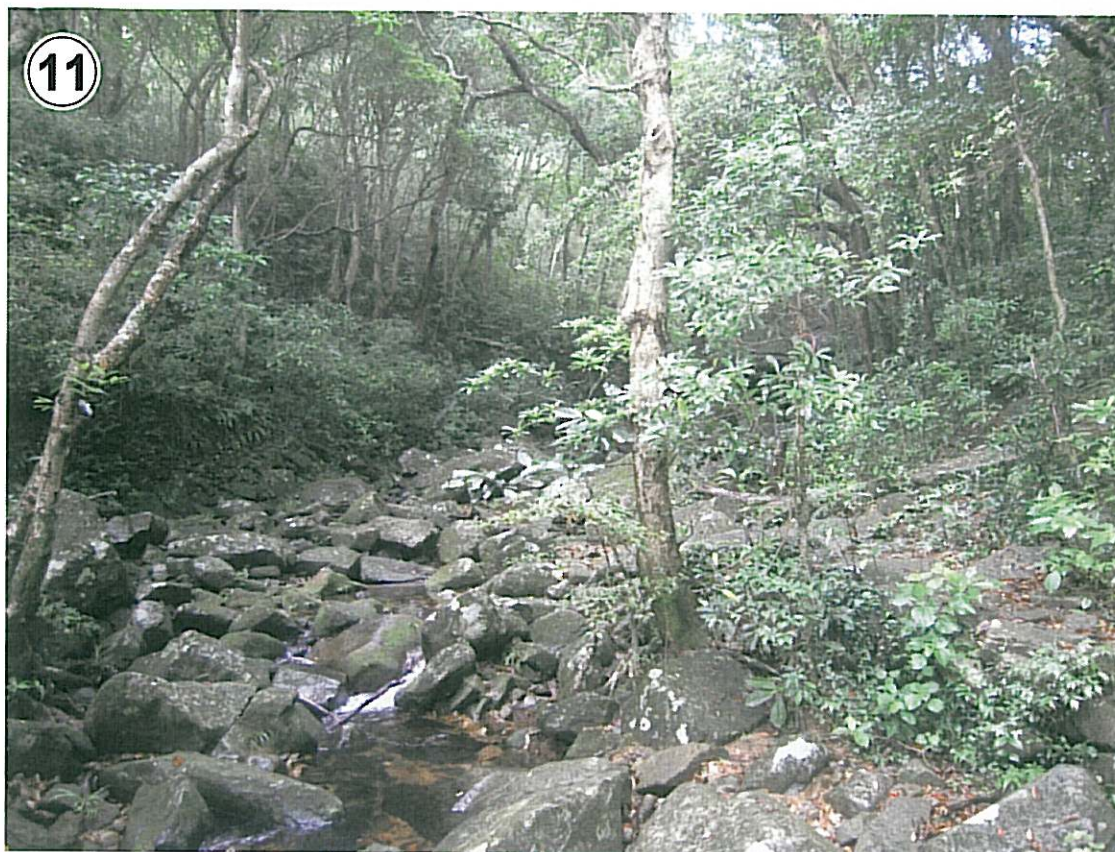
本圖於2011年7月12日擬備，所根據的
資料為攝於2011年6月15日的實地照片
PLAN PREPARED ON 12.7.2011 BASED ON
SITE PHOTOS TAKEN ON 15.6.2011

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/NP_MP/11/1

圖 PLAN
4e



茅坪谷的一條清澈小河流及周邊的自然環境
A NATURAL PRISTINE STREAM FLOWING FROM MAU PING VALLEY AND
SURROUNDING NATURAL ENVIRONMENT

實地照片 SITE PHOTO

茅坪
MAU PING

規劃署
PLANNING
DEPARTMENT



本圖於2011年7月12日製備，所根據的
資料為攝於2011年6月15日的實地照片
PLAN PREPARED ON 12.7.2011 BASED ON
SITE PHOTOS TAKEN ON 15.6.2011

參考編號
REFERENCE No.
M/NP_MP/11/1

圖 PLAN
4f



北港至梅子林古徑
PAK KONG - MUI TSZ LAM TRACKWAY

實地照片 SITE PHOTO

茅坪
MAU PING

本圖於2011年7月12日擬備，所根據的
資料為攝於2011年6月15日的實地照片
PLAN PREPARED ON 12.7.2011 BASED ON
SITE PHOTOS TAKEN ON 15.6.2011

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/NP_MP/11/1

圖 PLAN
4g