TOWN PLANNING BOARD

[CONFIDENTIAL] Downgraded on 4/5

TPB Paper No. 9069
For Consideration by
the Town Planning Board on 13.4.2012

CONSIDERATION OF THE
DRAFT YUNG SHUE O DEVELOPMENT PERMISSION AREA PLAN
NO. DPA/NE-YSO/C

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CONSIDERATION OF THE DRAFT YUNG SHUE O DEVELOPMENT PERMISSION AREA PLAN NO. DPA/NE-YSO/C

1. Introduction

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

(a) that the draft Yung Shue O Development Permission Area (DPA) Plan No. DPA/NE-YSO/C (to be renumbered as DPA/NE-YSO/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) that the Explanatory Statement (ES) (**Appendix III**) is suitable to serve as an expression of the planning intentions and objectives of the Town Planning Board (the Board) for the draft Yung Shue O DPA Plan and that the ES should be issued under the name of the Board.

2. Background

Location and Physical Characteristics (**Plans 1 to 3**)

2.1 The Yung Shue O DPA Plan (the Area) is located at the western end of the Sai Kung Peninsula, with the Sai Kung West Country Park surrounding it on the north, east and south, and the Three Fathoms Cove lying to its west. Yung Shue O Village, the recognized village, is located at the eastern part of the Area, which is well populated. The Area is rural and natural in character comprising mainly woodlands, shrublands, grasslands, mangroves, streams, fallow agricultural lands and inhabited village. The Area is a Priority Site for Enhanced Conservation under the New Nature Conservation Policy. The natural habitats including the woodland and the stream provides a good habitat for butterflies and over half of the local butterfly species are recorded at the Area.

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. At present, the Area is rural and natural in character comprising mainly village houses, grassland, shrubland, woodland, fallow

agricultural land, mangroves and streamcourses and is of high scenic value with vehicular access. To prevent haphazard developments and conserve the rural and natural character of the Area, it is necessary to prepare a DPA plan to cover the Area to provide planning guidance and development control pending preparation of an Outline Zoning Plan (OZP) and to enable enforcement actions to be taken against any unauthorized development to safeguard the Area's natural and landscape character.

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 Yung Shue O as 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 Plan Area covers an area of about 33.72 ha. It is located at the western end of the Sai Kung Peninsula, with the Sai Kung West Country Park surrounding it on the north, east and south, and the Three Fathoms Cove lying to its west (**Site Photos 1 and 2**).

4.2 The existing land uses mainly include the following:

Recognized Village (**Plan 2b and Site Photos 3 to 8**)

4.2.1 Yung Shue O Village is a recognized village and village houses are concentrated at the eastern part of the Area, which is well populated with some newly constructed village houses. The whole 'Village Environs' ('VE') of Yung Shue O Village falls within the Area (**Plan 2b**). According to the District Lands Office/Tai Po of the Lands Department, the outstanding Small House applications and the 10-year forecast of demand for Small House at Yung Shue O village are 10 and 390 respectively.

*Natural Environment (**Site Photos 9 to 14**)*

4.2.2 The central part of the Area is large tracts of fallow agricultural land overgrown with vegetation. At the western-most part of the Area,

estuarines, mangroves and marshes are found along the coastal area. An ecologically important stream flowing from an east-westward direction lies in the southern part of the Area. The natural habitats including the woodland and the stream provides a good habitat for butterflies and over half of the local butterfly species are recorded at the Area.

4.2.3 Protected plant species including *Aquilaria sinensis* (土沉香), *Pavetta hongkongensis* (香港大沙葉) and *Cibotium barometz* (金毛狗) have been found in the Area, particularly at the periphery of the woodland which is ecologically-linked to the Sai Kung West Country Park. Other protected plant species including *Liparis ferruginea* (銹色羊耳蒜), which has a limited distribution locally was also found in the freshwater marsh at the northern region. The Area is a recognized butterfly hotspot with record of rare species such as the *Aeromachus pygmaeus* (侏儒鍔弄蝶) and *Aeromachus jhora* (寬鍔弄蝶). A population of the vulnerable dragonfly *Orthetrum poecilops* (斑灰蜻) has also been recorded.

*Others (**Site Photos 15 to 16**)*

4.2.4 The western part of the Area in the vicinity of the stream and close to the coastal area mainly comprises some fallow agricultural land covered with some trees, shrubs and grasses. Some of this part has currently been occupied by some war-game fields.

Cultural Heritage Interest (**Plan 2b**)

4.3 Yung Shue O Site of Archaeological Interest falls within the Area. Ceramic sherds of the Song, Ming and Qing dynasties were found in 1997-98. The archaeological interest in the Area warrant thoughtful consideration of cultural heritage preservation. 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 above site of archaeological interest and its immediate environs.

Land ownership

4.4 About 49.8% of land in the Area is Government land, and the remaining 50.2% are private land comprising mainly agricultural land and building lots.

Transport and accessibility (**Site Photos 17 and 18**)

4.5 The Area is accessible mainly by a paved single-lane vehicular access road branching off from Sai Sha Road and by the hiking trails leading from Cheung Sheung, Pak Tam Chung and Sham Chung. The access to Yung Shue O is mainly a restricted road as it is largely located within the Sai Kung West Country Park and is also under the maintenance of Water Supplies Department.

5. Land Use Proposals (Appendix I)

General Planning Intention

5.1 Surrounded by the Sai Kung West Country Park and Three Fathoms Cove, the Area is part of the wider natural environment of Sai Kung countryside. The general planning intention of the Area is to protect its high landscape value and rural settings which complement the overall naturalness and the landscape beauty of the surrounding country park. The planning intention is also to reflect the existing recognized village of Yung Shue O.

"Village Type Development" ("V") Total Area 2.87 ha (**Plans 2c and 2d**)

5.2 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 and efficient use of land.

5.3 The recognized village within the Area is Yung Shue O. The boundaries of "V" zone are drawn up provisionally around existing clusters having regard to existing village clusters and building structures, approved Small House applications and existing site conditions. Areas of difficult terrain, dense and mature vegetation, and ecologically sensitive areas are not included. The boundaries of the "V" zone will be further reviewed and defined during the preparation of OZP 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.

5.6 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 30.85 ha

5.7 The Area has high scenic value forming part of the wider natural environment of Sai Kung West Country Park. 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 are 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 the existing topography and natural vegetation.

5.8 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 Yung Shue O DPA Plan will be renumbered to DPA/NE-YSO/1.

8. Consultation

8.1 The draft DPA Plan together with the Notes and ES has 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 16.3.2012, the draft DPA Plan was also endorsed by circulation by the New Territories District Planning Conference (NTDipCon) for submission to the Board.

8.3 The Tai Po District Council (TPDC) and the Sai Kung North Rural Committee (SKNRC) have not been consulted due to the confidential nature of the plan. However, the TPDC and SKNRC will be consulted separately 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 Yung Shue O DPA Plan No. DPA/NE-YSO/C (to be renumbered to DPA/NE-YSO/1) (**Appendix I**) and its Notes (**Appendix II**) are suitable for exhibition for public inspection under section 5 of the Ordinance;

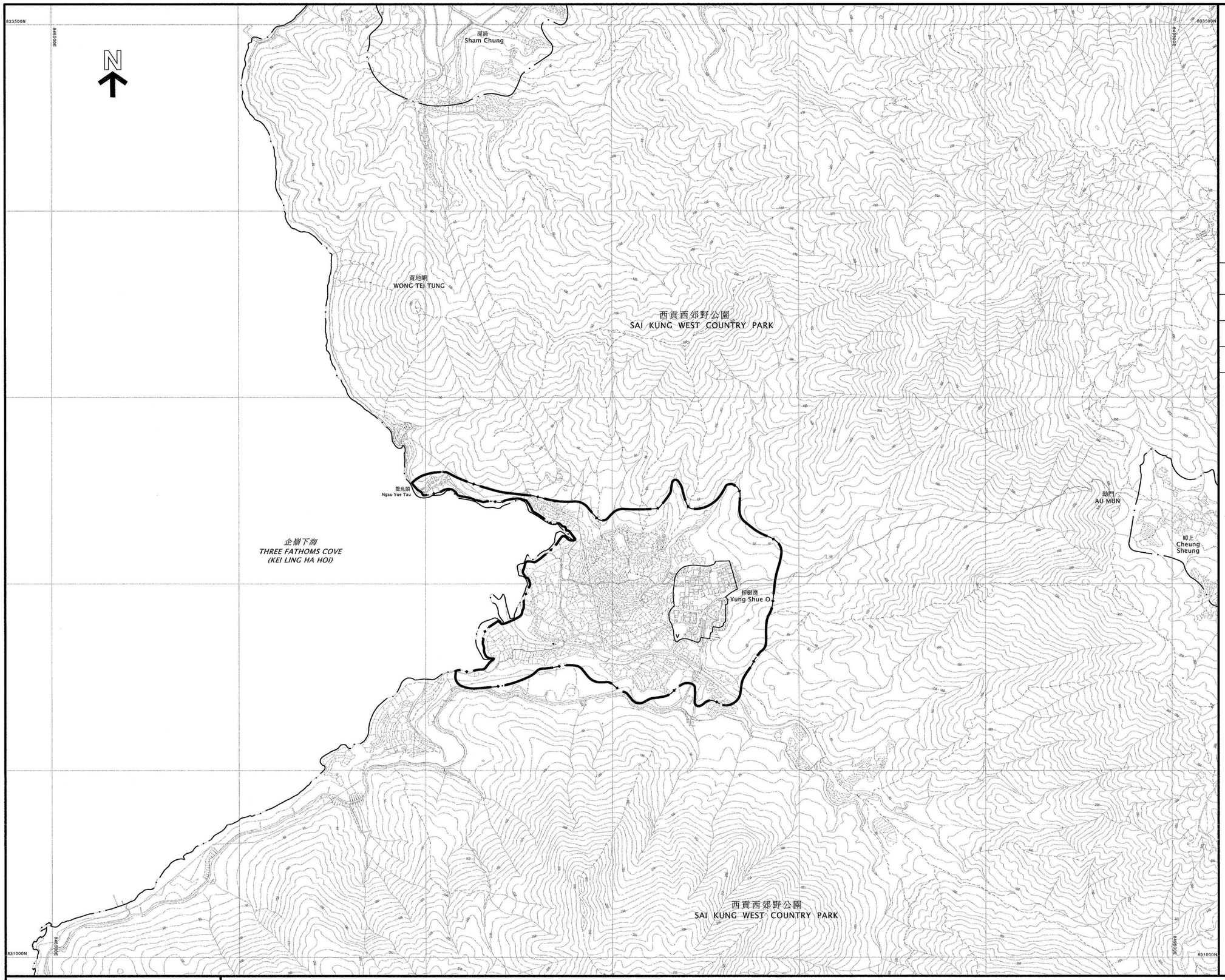
(b) agree that the ES (**Appendix III**) is suitable to serve as an expression of the planning intention and objectives of the Board for the draft Yung Shue O DPA Plan and that the ES should be issued under the name of the Board; and

(c) agree that consultation on the draft Yung Shue O DPA Plan will be conducted for the TPDC and SKNRC separately after its publication under section 5 of the Ordinance.

10. Attachments

Appendix I	Draft Yung Shue O Development Permission Area Plan No. DPA/NE-YSO/C
Appendix II	Notes of the Draft Yung Shue O Development Permission Area Plan No. DPA/NE-YSO/C
Appendix III	Explanatory Statement of the Draft Yung Shue O Development Permission Area Plan No. DPA/NE-YSO/C
Plan 1	Location Plan of Yung Shue O
Plan 2a	Planning Scheme Boundary of Yung Shue O Development Permission Area
Plan 2b	Village Environs Boundary and Land Ownership of Yung Shue O
Plan 2c	Proposed "Village Type Development" of Yung Shue O
Plan 2d	Existing Village House and Ruined Structure within the Proposed "V" Zone in Yung Shue O
Plan 3	Aerial photo
Plans 4a to 4i	Site Photos

PLANNING DEPARTMENT
APRIL2012



圖例
NOTATION

ZONES		地帶
VILLAGE TYPE DEVELOPMENT	V	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	2.87	8.51	鄉村式發展
UNSPECIFIED USE	30.85	91.49	非指定用途
TOTAL AREA OF DEVELOPMENT PERMISSION AREA	33.72	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

榕樹澳發展審批地區圖
YUNG SHUE O DEVELOPMENT PERMISSION AREA PLAN

SCALE 1:5000 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/NE-YSO/C**

DRAFT YUNG SHUE O
DEVELOPMENT PERMISSION AREA PLAN NO. DPA/NE-YSO/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 first publication in the Gazette of the notice of the 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 use 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 YUNG SHUE O
DEVELOPMENT PERMISSION AREA PLAN NO. DPA/NE-YSO/C

Schedule of Uses

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Annex B	VILLAGE TYPE DEVELOPMENT	2

Annex A

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 the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

Annex B

VILLAGE TYPE DEVELOPMENT

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Government Use (Police Reporting Centre, Post Office only) House (New Territories Exempted House only) On-Farm Domestic Structure Religious Institution (Ancestral Hall only) Rural Committee/Village Office	Burial Ground Eating Place Government Refuse Collection Point Government Use (not elsewhere specified)# Hotel (Holiday House Only) House (not elsewhere specified) 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 village. 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 uses 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 the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

DRAFT YUNG SHUE O DEVELOPMENT PERMISSION AREA PLAN NO. DPA/NE-YSO/C

EXPLANATORY STATEMENT

DRAFT YUNG SHUE O DEVELOPMENT PERMISSION AREA PLAN NO. DPA/NE-YSO/C

EXPLANATORY STATEMENT

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DRAFT YUNG SHUE O DEVELOPMENT PERMISSION AREA PLAN NO. DPA/NE-YSO/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 Yung Shue O Development Permission Area Plan No. DPA/NE-YSO/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 Yung Shue O area as a development permission area (DPA).

2.2 On _____, the draft Yung Shue O DPA Plan No. DPA/NE-YSO/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 Yung Shue O 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 Area, covering an area of 33.72 ha, is located at the western end of the Sai Kung Peninsula, with the Sai Kung West Country Park surrounding it on the north, east and south, and the Three Fathoms Cove lying to its west. It is accessible mainly by a paved single-lane access road branching off from Sai Sha Road and by the hiking trails leading from Cheung Sheung, Pak Tam Chung and Sham Chung. The access road is a restricted road within the Sai Kung West Country Park and is under the maintenance of Water Supplies Department.

5.2 There is one recognized village, namely the Yung Shue O Village, located at the eastern part of the Area, which is well populated. The central part of the Area is large tracts of fallow agricultural land overgrown with vegetation. At the western-most part of the Area, estuarines, mangroves and marshes are found along the coastal area. An ecologically important stream flowing from an east-westward direction lies in the southern part of the Area. The Area is a Priority Site for Enhanced Conservation under the New Nature Conservation Policy. The natural habitats including the woodland and the stream provides a good habitat for butterflies and over half of the local butterfly species are recorded at the Area.

5.3 Protected species including *Aquilaria sinensis*, *Pavetta hongkongensis* and *Cibotium barometz* have been found in the Area, particularly at the periphery of the woodland which is ecologically-linked to the Sai Kung West Country Park. Other protected species including *Liparis ferruginea*, which has a limited distribution locally was also found in the freshwater marsh at the northern region. The Area is a recognized butterfly hotspot with record of rare species such as the *Aeromachus pygmaeus* and *Aeromachus jhora*. A population of the vulnerable dragonfly *Orthetrum poecilops* has also been recorded.

6. NEED FOR PLANNING GUIDANCE AND CONTROL

The Area is rural and natural in character comprising mainly woodlands, shrublands, grasslands, wetlands, mangroves, streams, fallow agricultural lands, inhabited village as well as abandoned houses. The Area is of high scenic value and has vehicular access. There is an urgent need to better protect the natural and landscape character of the Area so as to avoid disturbance to the natural environment. In the circumstances, it is necessary to prepare a DPA plan to cover the Area to provide planning guidance and development control pending 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 about 33.72 ha. It is surrounded by the Sai Kung West Country Park and Three Fathoms Cove. The boundary of the Area is shown by a heavy broken line on the Plan.

7.2 General Planning Intention

Surrounded by the Sai Kung West Country Park and Three Fathoms Cove, the Area is part of the wider natural environment of Sai Kung countryside. The general planning intention of the Area is to protect its high landscape value and rural settings which complement the overall naturalness and the landscape beauty of the surrounding country park. The planning intention is also to reflect the existing recognized village of Yung Shue O.

7.3 Population

Based on the population data from the 2006 By-census, the population of the Yung Shue O Area was estimated to be about 200.

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

7.4.1 "Village Type Development" ("V") : Total Area 2.87 ha

(a) The planning intention of this zone is to reflect existing recognized village. 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 village within the Area is Yung Shue O. The boundaries of "V" zone are drawn up provisionally around existing clusters having regard to existing village clusters and building structures, approved Small House applications and existing site conditions. Areas of difficult terrain, dense and mature vegetation, and ecologically sensitive areas are not included. The boundaries of the "V" zone will be further reviewed and defined during the preparation of OZP 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 the first publication in the Gazette of the notice of the 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 30.85 ha

Surrounded by the Sai Kung West Country Park and Three Fathoms Cove, the Area has high scenic value forming part of the wider natural environment of Sai Kung countryside. Besides the inhabited houses of the Yung Shue O Village, the Area comprises mainly woodlands, shrublands, grasslands, wetlands, mangroves, streams, fallow agricultural lands and abandoned houses. To protect the natural and landscape character 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 accessible mainly by the paved single-lane vehicular access road branching off from Sai Sha Road and this access is mainly a restricted road. The Area is also accessible by the hiking trails leading from Cheung Sheung, Pak Tam Chung and Sham Chung. It has marine frontage but there is no pier facility.

7.5.2 Utility Services

The Area is provided with electricity and telephone services. Potable water supply and public sewers have been provided to the existing facilities and villagers of the areas. There are no drainage systems. 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

Yung Shue O Site of Archaeological Interest falls within the Area. Ceramic sherds of the Song, Ming and Qing dynasties were found in 1997-98. The archaeological interest 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.

7.7 Geotechnical Safety

The Area, especially those located near the DPA boundary, is located below steep natural terrain with a long history of instability and may be affected by potential natural terrain landslide hazards. For developments within the Area, particularly in the eastern part of the "V" zone, natural terrain hazard studies may be required to ascertain the scale of the hazards and to provide suitable hazard mitigation measures, if found necessary, as part of the developments.

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 the notice of the draft DPA plan and which are not in compliance with the terms of the Plan may have adverse impact on the environment, drainage and traffic of the Area. Although no action is required to make such use conform to this Plan, any material change of such use or any other development (except minor alteration and/or modification to the development of the land or building in respect of such use which is always permitted) must be always permitted in terms of the Plan or, if permission is required, in accordance with a permission granted by the Board. The Board will consider these applications on their individual merits. Those alteration and/or modification works which may lead to an environmental improvement or upgrading to the Area may be considered favourably by the Board.

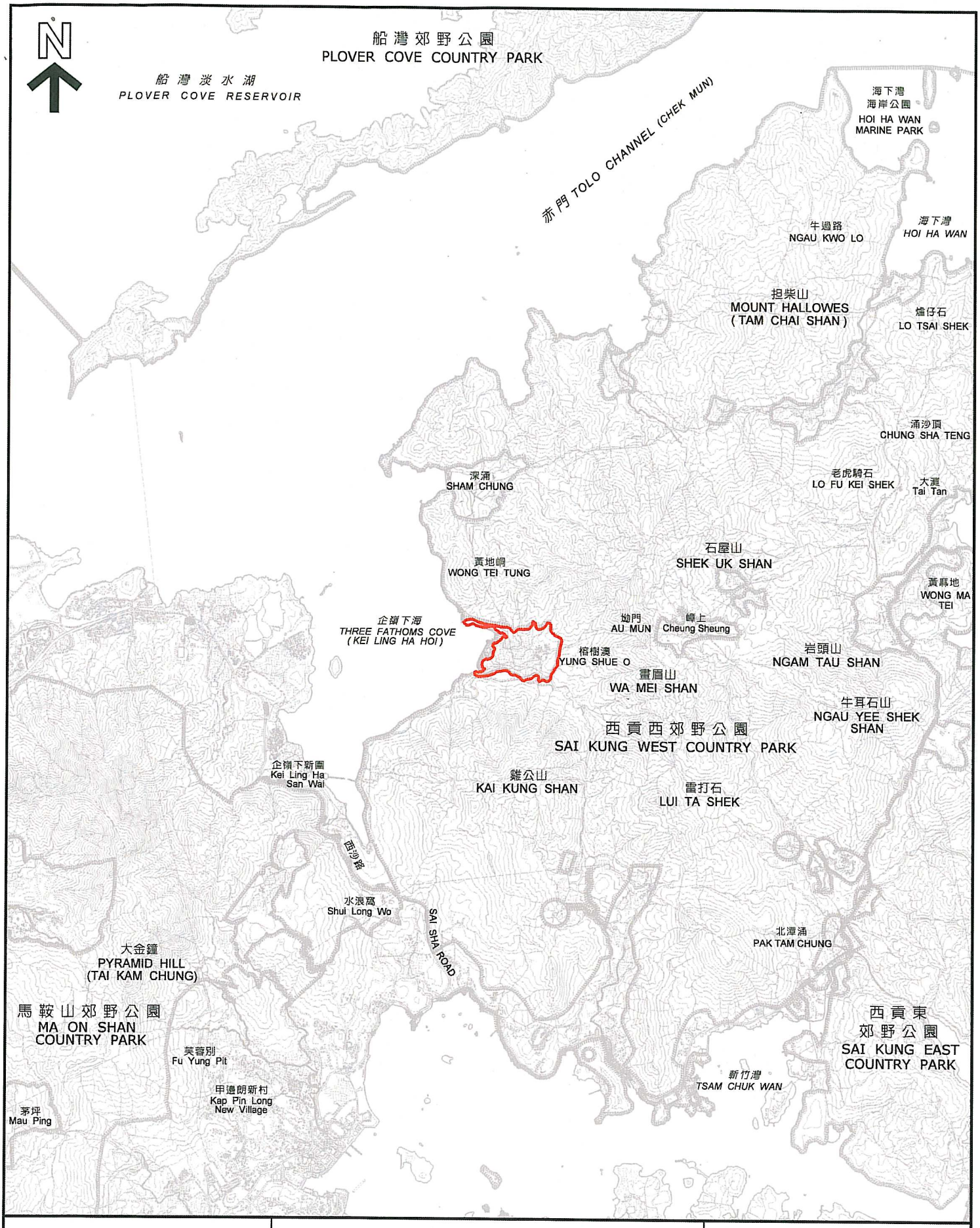
8.3 Planning applications to the Board will be assessed on individual merits. In general, the Board, in considering the planning applications, will take into account all relevant planning considerations which may include the departmental outline development plans/layout plans, and the guidelines published 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
MAY 2012



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

本摘要圖於2012年1月13日擬備所根據的資料為地圖組別HM20C編號3、4、7和8

EXTRACT PLAN PREPARED ON 13.1.2012 BASED ON MAP SERIES HM20C SHEETS 3, 4, 7 & 8

榕樹澳的位置圖
LOCATION PLAN OF YUNG SHUE O

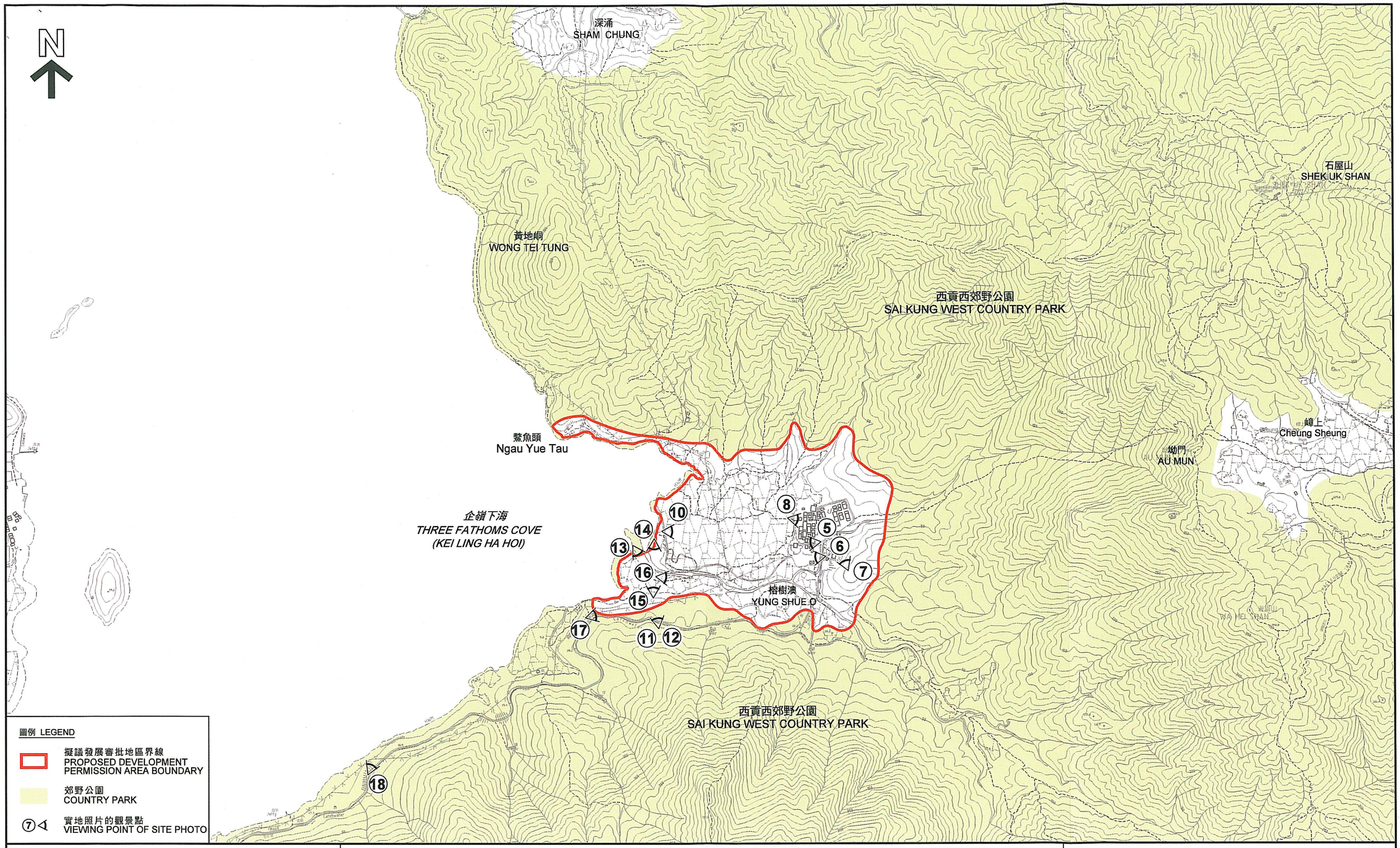
SCALE 1 : 50 000 比例尺

米 METRES 1000 0 1000 2000 米 METRES

規劃署
PLANNING
DEPARTMENT

參考編號
REFERENCE No.
M/NP-YSO/11/4

圖 PLAN
1



本摘要圖於2012年1月12日擬備
所根據的資料為HP5BW編號 8-NW-A/B/C/D

EXTRACT PLAN PREPARED ON 12.1.2012
BASED ON HP5BW SHEEETS No.8-NW-A/B/C/D

榕樹澳發展審批地區的規劃範圍界線

PLANNING SCHEME BOUNDARY OF YUNG SHUE O DEVELOPMENT PERMISSION AREA

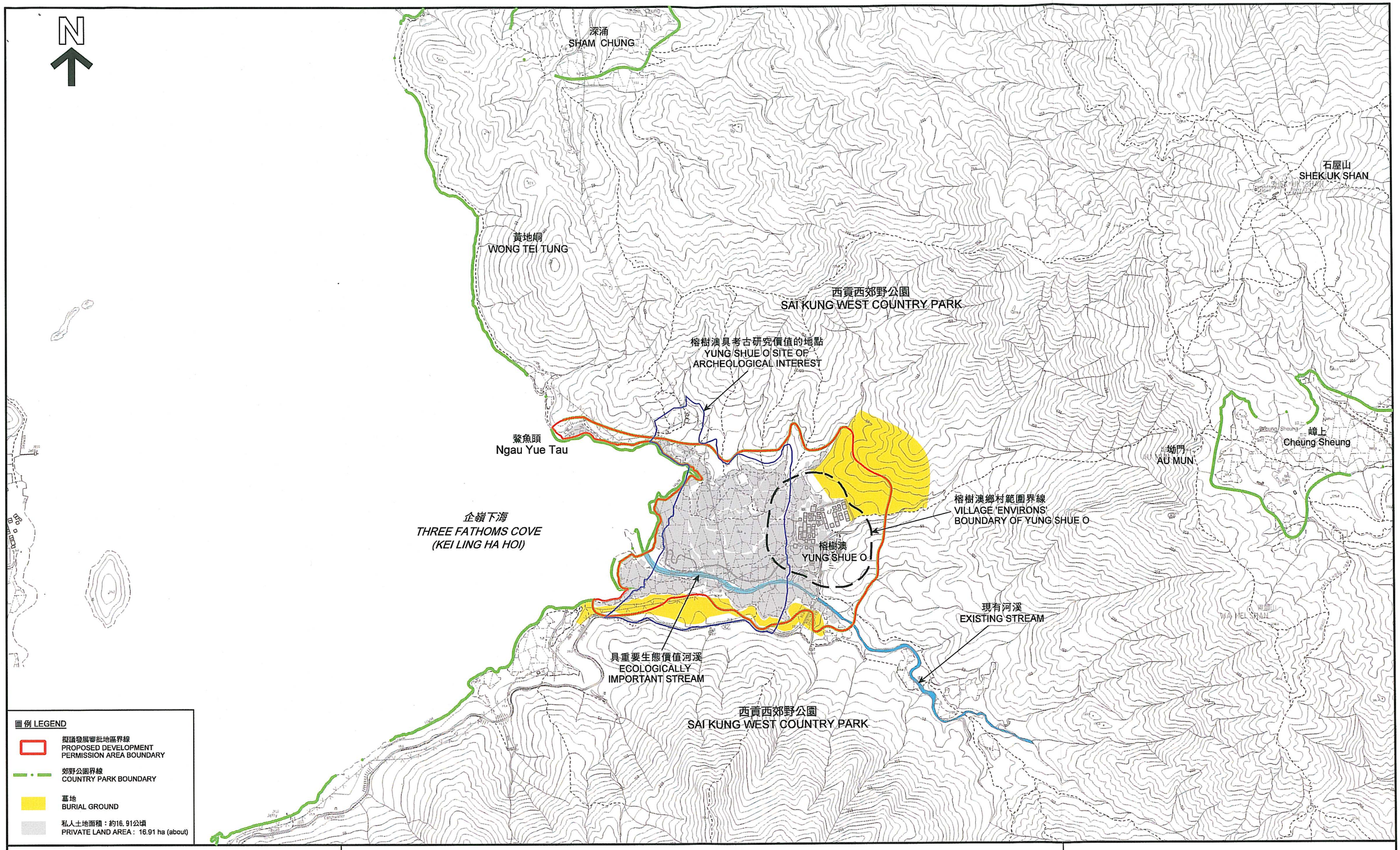
SCALE 1 : 10 000 比例尺

METRES 200 0 200 400 METRES

規劃署
PLANNING DEPARTMENT

參考編號 REFERENCE No.
M/NP-YSO/11/4

圖 PLAN
2a



本摘要圖於2012年1月16日擬備
所根據的資料為HP5BW編號 8-NW-A/B/C/D

EXTRACT PLAN PREPARED ON 16.1.2012
BASED ON HP5BW SHEEETS No. 8-NW-A/B/C/D

榕樹澳的鄉村範圍界線及土地業權

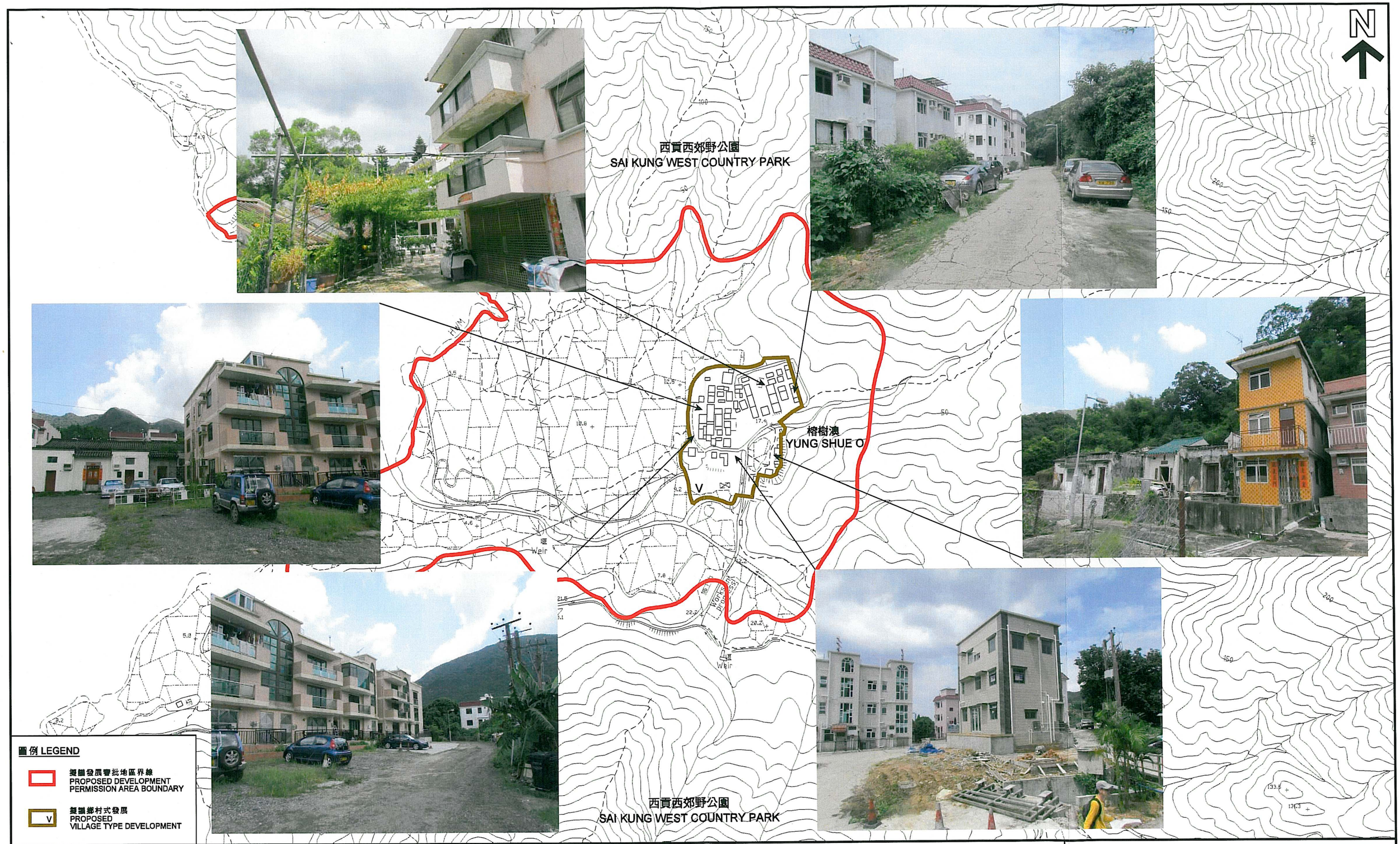
VILLAGE 'ENVIRONS' AND LAND OWERSHIP OF YUNG SHUE O

SCALE 1 : 10 000 比例尺

米 METRES 200 0 200 400 米 METRES

規劃署
PLANNING DEPARTMENT

參考編號 REFERENCE No.	圖 PLAN
M/NP-YSO/11/4	2b



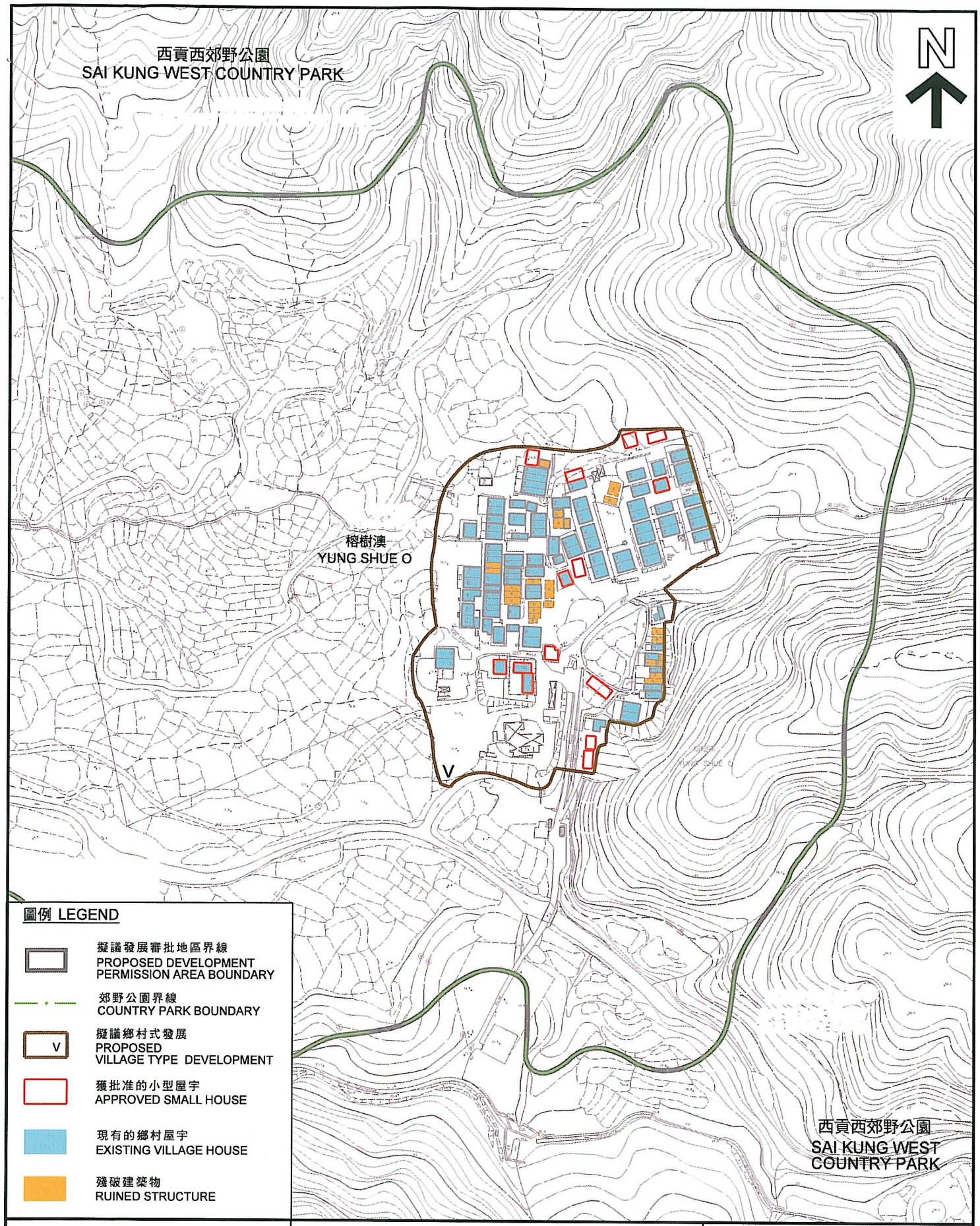
本摘要圖於2012年3月15日擬備
所根據的資料為HP5BW編號 8-NW-A/B/C/D
EXTRACT PLAN PREPARED ON 15.3.2012
BASED ON HP5BW SHEEETS No. 8-NW-A/B/C/D

榕樹澳的擬議鄉村式發展

PROPOSED VILLAGE TYPE DEVELOPMENT OF YUNG SHUE O

規劃署
PLANNING DEPARTMENT

參考編號 REFERENCE No.	圖 PLAN
M/NP-YSO/11/4	2c



本摘要圖於2012年3月22日擬備，所根據的資料為測量圖編號8-NW-17B、18A及18C

EXTRACT PLAN PREPARED ON 22.3.2012 BASED ON SURVEY SHEETS No. 8-NW-17B, 18A & 18C

在榕樹澳的擬議「鄉村式發展」地帶內現有的鄉村屋宇及殘破建築物

EXISTING VILLAGE HOUSE AND RUINED STRUCTURE WITHIN THE PROPOSED "VILLAGE TYPE DEVELOPMENT" ZONE IN YUNG SHUE O

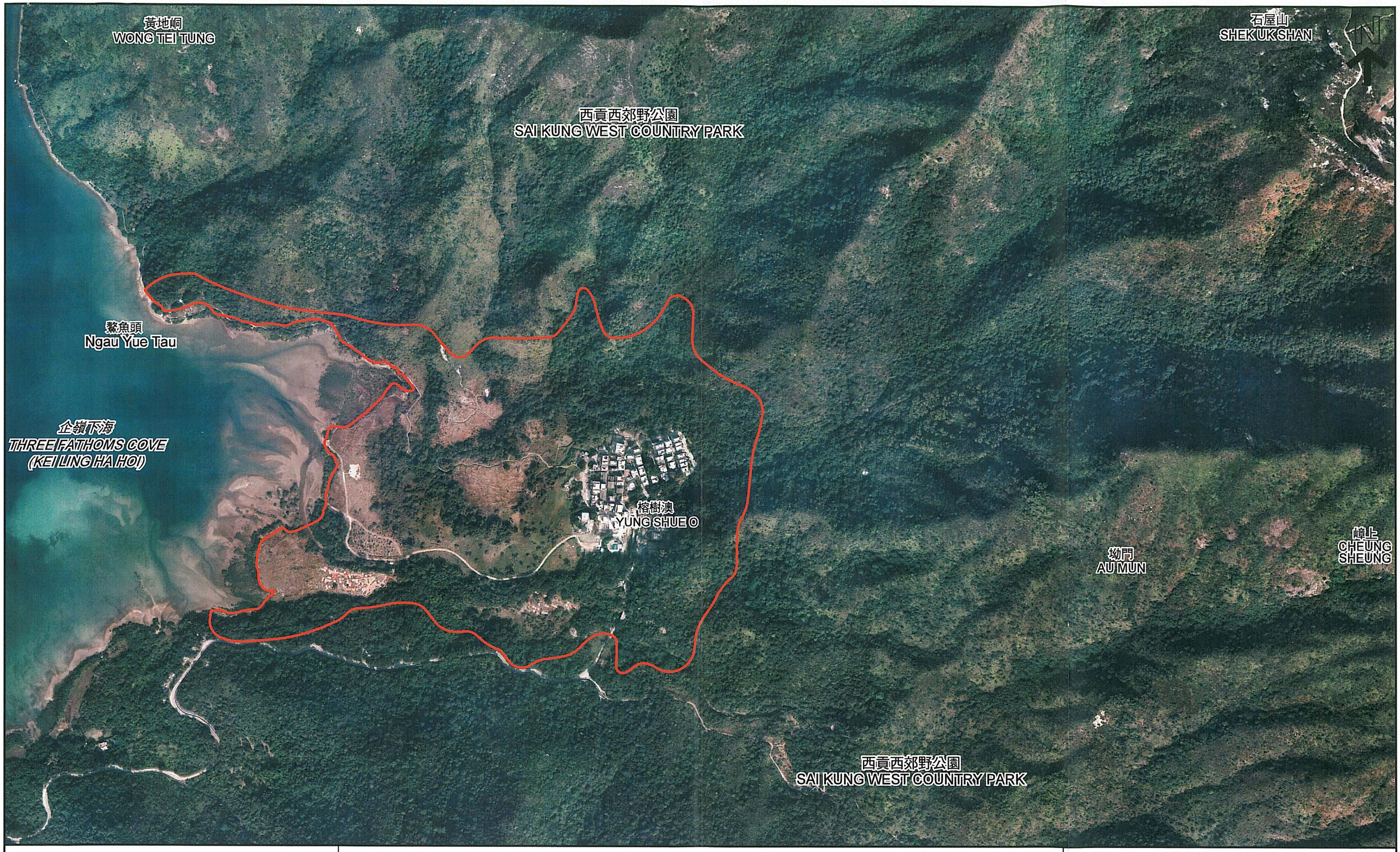
SCALE 1 : 3 000 比例尺

米METRES 50 0 50 100 METRES米

規劃署
PLANNING DEPARTMENT

參考編號
REFERENCE No.
M/NP-YSO/11/4

圖 PLAN
2d



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

本摘要圖於2012年2月14日擬備，所根據的資料為地政總署於2011年1月10日拍得的航攝照片編號 CS31061-64 和 CS31309-312
EXTRACT PLAN PREPARED ON 14.2.2012 BASED ON AERIAL PHOTOS No. CS31061-64 & CS31309-312 TAKEN ON 10.1.2011 BY LANDS DEPARTMENT

航攝照片 AERIAL PHOTO

榕樹澳發展審批地區的規劃範圍界線

PLANNING SCHEME BOUNDARY OF YUNG SHUE O DEVELOPMENT PERMISSION AREA

規劃署
PLANNING DEPARTMENT

參考編號 REFERENCE No.	圖 PLAN
M/NP-YSO/11/4	3

通往榕樹澳的道路
ACCESS ROAD TO YUNG SHUE O

直昇機照片1和2
PHOTOS 1 & 2 TAKEN BY HELICOPTER

本圖於2012年1月5日擬備，所根據的資料為攝於2011年10月19日的實地照片
PLAN PREPARED ON 5.1.2012 BASED ON SITE PHOTOS TAKEN ON 19.10.2011

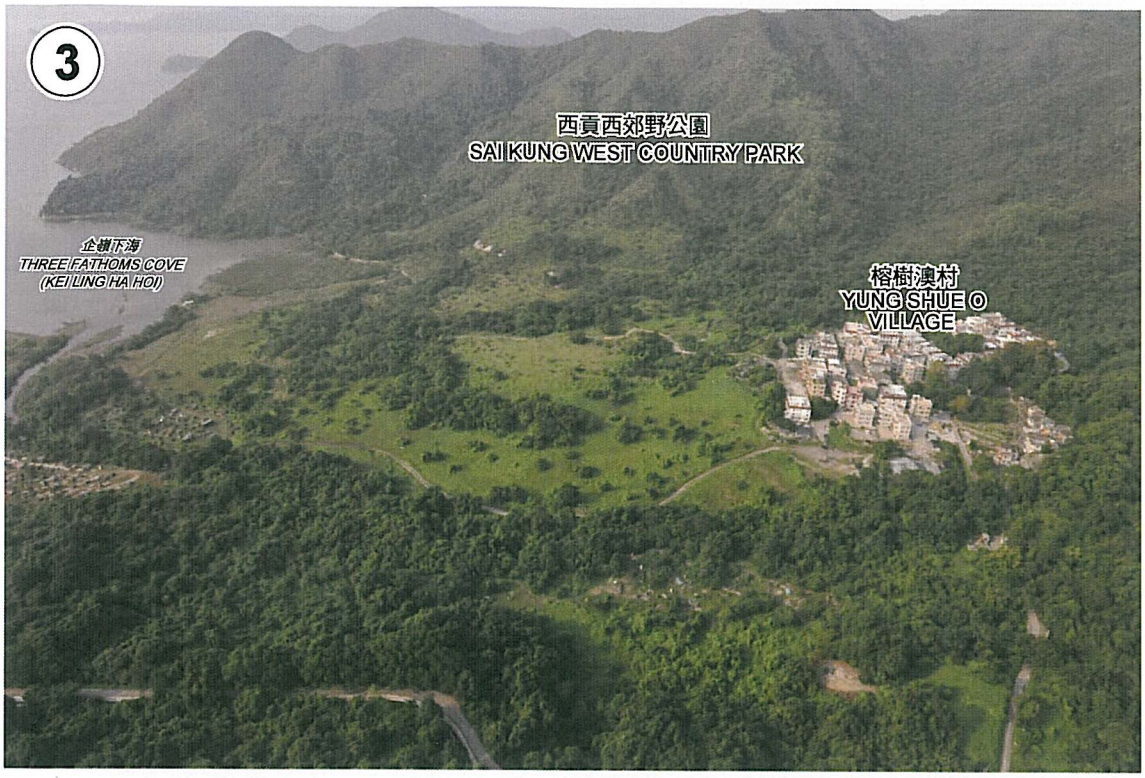
實地照片 SITE PHOTOS

榕樹澳
YUNG SHUE O

規劃署
PLANNING DEPARTMENT

參考編號
REFERENCE No.
M/NP-YSO/11/4

圖 PLAN
4a



直昇機照片3和4
PHOTOS 3 & 4 TAKEN BY HELICOPTER

本圖於2012年1月5日擬備，所根據的資料為攝於2011年10月19日的實地照片
PLAN PREPARED ON 5.1.2012 BASED ON SITE PHOTOS TAKEN ON 19.10.2011

實地照片 SITE PHOTOS

榕樹澳
YUNG SHUE O

規劃署
PLANNING DEPARTMENT

參考編號
REFERENCE No.
M/NP-YSO/11/4

圖 PLAN
4b

榕樹澳村內的一些新建鄉村屋宇
SOME NEW VILLAGE HOUSES AT YUNG SHUE O VILLAGE

本圖於2012年1月5日擬備，所根據的資料為攝於2011年9月15日的實地照片
PLAN PREPARED ON 5.1.2012 BASED ON SITE PHOTOS TAKEN ON 15.9.2011

實地照片 SITE PHOTOS

榕樹澳
YUNG SHUE O

規劃署
PLANNING DEPARTMENT

參考編號
REFERENCE No.
M/NP-YSO/11/4

圖 PLAN
4c

榕樹澳村內的鄉村屋宇
VILLAGE HOUSES AT YUNG SHUE O VILLAGE

本圖於2012年1月5日擬備，所根據的資料為攝於2011年9月15日及2011年9月28日的實地照片

PLAN PREPARED ON 5.1.2012 BASED ON SITE PHOTOS TAKEN ON 15.9.2011 & 28.9.2011

實地照片 SITE PHOTOS

榕樹澳
YUNG SHUE O

規劃署
PLANNING DEPARTMENT

參考編號
REFERENCE No.
M/NP-YSO/11/4

圖 PLAN
4d

直昇機照片 9
PHOTO 9 TAKEN BY HELICOPTER

位於榕樹澳中部分的休耕農地與植物
FALLOW AGRICULTURAL LAND WITH VEGETATION
AT THE CENTRAL PART OF YUNG SHUE O

本圖於2012年1月5日擬備，所根據的資料為攝於2011年9月15日 及 2011年10月19日的實地照片
PLAN PREPARED ON 5.1.2012 BASED ON SITE PHOTOS TAKEN ON 15.9.2011 & 19.10.2011

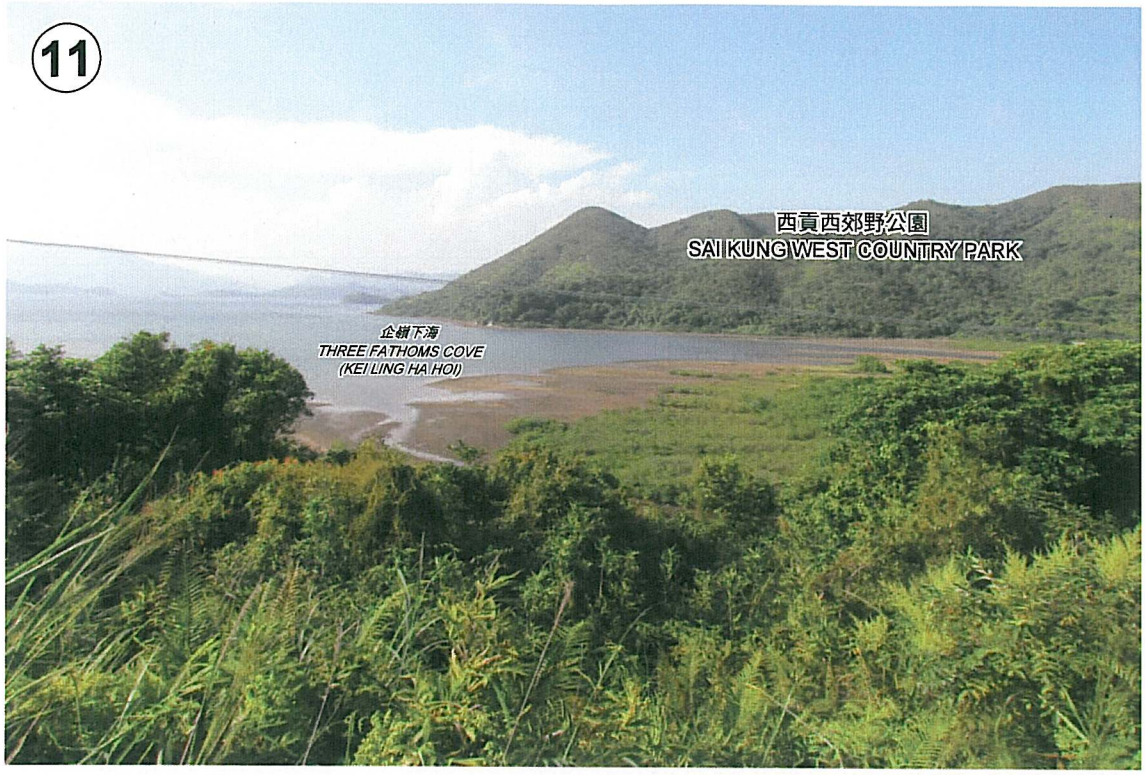
實地照片 SITE PHOTOS

榕樹澳
YUNG SHUE O

規劃署
PLANNING DEPARTMENT

參考編號
REFERENCE No.
M/NP-YSO/11/4

圖 PLAN
4e



沿海岸範圍的河口、紅樹林及濕地
ESTUARINES, MANGROVES AND MARSHES ALONG THE COASTAL AREA

本圖於2012年1月5日擬備，所根據的資料為攝於2011年9月15日的實地照片
PLAN PREPARED ON 5.1.2012 BASED ON SITE PHOTOS TAKEN ON 15.9.2011

實地照片 SITE PHOTOS

榕樹澳
YUNG SHUE O

規劃署
PLANNING DEPARTMENT

參考編號
REFERENCE No.
M/NP-YSO/11/4

圖 PLAN
4f

沿海岸範圍的紅樹林
MANGROVES ALONG THE COASTAL AREA

位於榕樹澳具有重要生態價值的溪流
ECOLOGICALLY IMPORTANT STREAM AT YUNG SHUE O

本圖於2012年1月5日擬備，所根據的資料為攝於2011年9月15日的實地照片
PLAN PREPARED ON 5.1.2012 BASED ON SITE PHOTOS TAKEN ON 15.9.2011

實地照片 SITE PHOTOS

榕樹澳
YUNG SHUE O

規劃署
PLANNING DEPARTMENT

參考編號
REFERENCE No.
M/NP-YSO/11/4

圖 PLAN
4g

位於榕樹澳西部的野戰遊戲場地
WAR GAME FIELDS AT WESTERN PART OF YUNG SHUE O

本圖於2012年1月5日擬備，所根據的資料為攝於2011年9月15日的實地照片
PLAN PREPARED ON 5.1.2012 BASED ON SITE PHOTOS TAKEN ON 15.9.2011

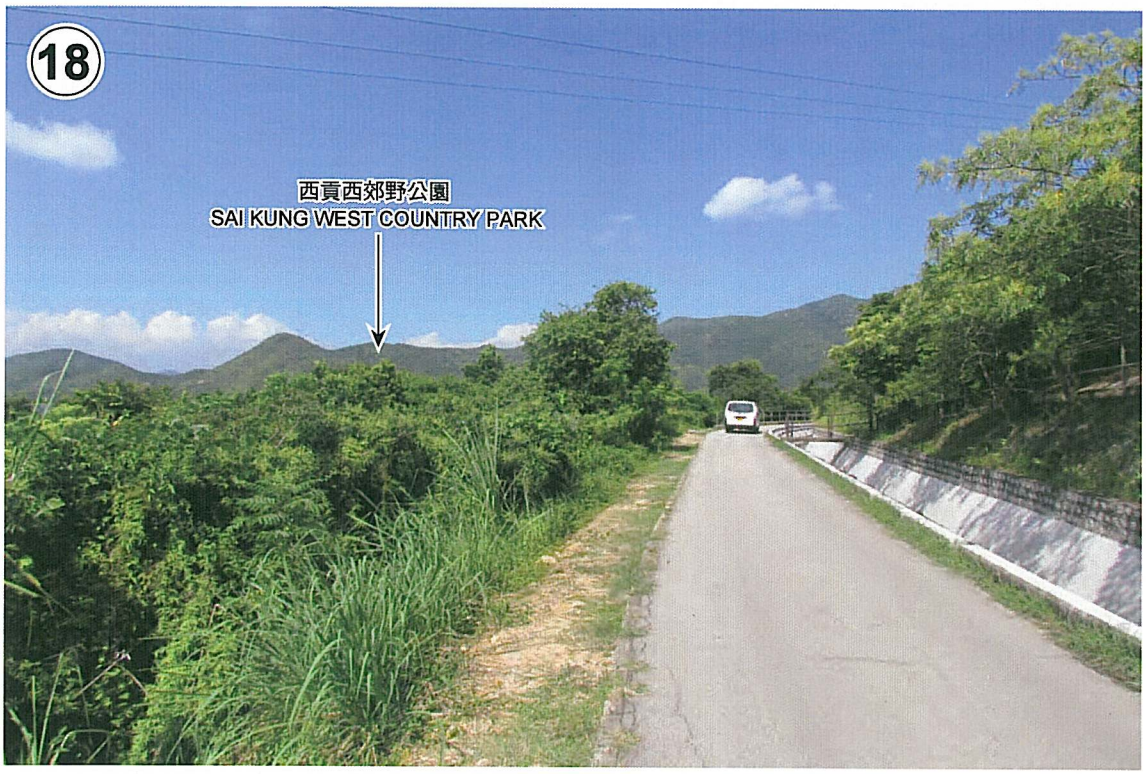
實地照片 SITE PHOTOS

榕樹澳
YUNG SHUE O

規劃署
PLANNING DEPARTMENT

參考編號
REFERENCE No.
M/NP-YSO/11/4

圖 PLAN
4h



進入榕樹澳的受限制車路
RESTRICTED ACCESS TO YUNG SHUE O

本圖於2012年1月5日擬備，所根據的資料為攝於2011年9月15日的實地照片
PLAN PREPARED ON 5.1.2012 BASED ON SITE PHOTOS TAKEN ON 15.9.2011

實地照片 SITE PHOTOS

榕樹澳
YUNG SHUE O

規劃署
PLANNING DEPARTMENT

參考編號
REFERENCE No.
M/NP-YSO/11/4

圖 PLAN
4i