TOWN PLANNING BOARD

TPB Paper No. 9240

For Consideration by
The Town Planning Board on 30.11.2012

CONSIDERATION OF THE
DRAFT PAK SHA O DEVELOPMENT PERMISSION AREA PLAN
NO. DPA/NE-PSO/B

CONSIDERATION OF THE DRAFT PAK SHA O DEVELOPMENT PERMISSION AREA PLAN NO. DPA/NE-PSO/B

1. <u>Introduction</u>

- 1.1 The purpose of this paper is to seek Members' agreement:
 - (a) that the draft Pak Sha O Development Permission Area (DPA) Plan No. DPA/NE-PSO/B (to be renumbered as DPA/NE-PSO/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 Pak Sha O DPA Plan and that the ES should be issued under the name of the Board.

2. Background

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

- 2.1 The Pak Sha O DPA Plan (the Area) is encircled by Sai Kung West Country Park with Hoi Ha Wan to its further north. With a scenic setting, the Area is rural in character comprising mainly fallow agricultural land and low-lying marshes occupying the more gentle central areas, surrounded on four sides by shrubs and woodland forming part of the well-established vegetation in the Sai Kung West Country Park.
- The Area is accessible by vehicles as it is bisected by Hoi Ha Road into the western portion where a recognised village, Pak Sha O Village, and Pak Sha O Youth Hostel, are located and the eastern portion which is mainly covered by fallow agricultural land with another recognised village of Pak Sha O Ha Yeung. Pak Sha O Village, a one-time Hakka Village, is currently occupied by a few non-indigenous families. Some nicely restored old village houses with beautiful gardens could be found in this village. King Siu Sai Kui and Hau Fuk Mun (京兆世居及厚福門), which is a proposed Grade 1 historic building with the adjacent aviary surrounded by beautiful landscape garden, is currently occupied by an non-indigenous family and is located at Pak Sha O Ha Yeung. The local population is about 37 based on the population data from the 2011 By-census.

Need for Statutory Plan

- 2.3 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.
- 2.4 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 with a scenic setting comprising mainly woodland, shrubland, fallow agricultural land, low-lying marshes and stream with village settlements. Excavation works have been detected on private lots, causing adverse impact to the landscape character of the Area (Site Photos 28 -29). There is an urgent need to better protect the natural and landscape character of the Area so as to avoid further disturbance to the natural environment. The DPA plan is to provide an interim 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.
- 2.5 On 31.10.2012, 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 Pak Sha 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)

4.1 The Area covers an area of about 33 ha and is surrounded on four sides by Sai Kung West Country Park (Plans 2a and 3).

Existing land uses

4.2 The existing land uses mainly include the following:

Recognized Village (Plan 2b and Site Photos 1 to 11)

4.2.1 The recognized village within the Area comprises Pak Sha O Village and Pak Sha O Ha Yeung. The Area is accessible by vehicles as it is bisected by Hoi Ha Road into the western portion where a recognised

village, Pak Sha O Village, and Pak Sha O Youth Hostel, are located and the eastern portion which is mainly covered by fallow agricultural land with another recognised village of Pak Sha O Ha Yeung. Pak Sha O Village, a one-time Hakka Village, is currently occupied by a few non-indigenous families. Some nicely restored old village houses with beautiful gardens could be found in this village. King Siu Sai Kui and Hau Fuk Mun (京兆世居及厚福門), which is a proposed Grade 1 historic building with the adjacent aviary surrounded by beautiful landscape garden, is currently occupied by an non-indigenous family and is located at Pak Sha O Ha Yeung. The local population is about 37 based on the population data from the 2011 By-census. Their 'Village Environs' ('VE') are shown on Plan 2b. According to the District Lands Office/Tai Po of the Lands Department, there is no approved Small House application. However, the outstanding Small House applications for Pak Sha O and Pak Sha O Ha Yeung are 38 and 6 respectively whilst the 10-year forecast of demand for Small House for Pak Sha O are 49 but is not available for Pak Sha O Ha Yeung.

Natural Environment (Site Photos 12 -15)

4.2.2 The Area falls within upper indirect water gathering grounds. The Hoi Ha Ecologically Important Stream (EIS), about 1400m in length, is located at the western side of the Area. It is one of the only two localities in Hong Kong that are known to support the rare fish species Pseudobargrus trilineatus (三綫擬鱨). Besides, a Fung Shui Wood, covering an area of about 1.3 ha, is located at the southern side of the Pak Sha O Village. Part of the woodland is densely covered with the protected plant species Aquilaria sinensis (土沉香). An unusually large specimen of Bischofia javanica (秋楓) has also been recorded inside the Fung Shui Wood.

Cultural Heritage Interest (Site Photos 16 - 20)

4.3 The Area has a number of interesting historical and cultural heritages, including Ho Residence and Ho Ancestral Hall which are Grade 1 historic building, Immaculate Heart of Mary Chapel which is a Grade 3 historic building and King Siu Sai Kui and Hau Fuk Mun which is a proposed Grade 1 historic building.

Pak Sha O Youth Hostel (Site Photos 21 - 23)

4.4 Abutting Hoi Ha Road, the Pak Sha O Youth Hostel, which is run by Hong Kong Youth Association, was converted from an abandoned village school with 3 school blocks and operated in September 1975 providing about 110 bed spaces and some outdoor camping sites.

Land ownership

4.5 The majority of land in the Area (about 55%) is Government land, and the remaining 45% are private land comprising mainly agricultural land and building lots.

Transport and accessibility

4.6 The Area is accessible by vehicles as it is bisected by Hoi Ha Road into the western portion and the eastern portion. The Area is also accessible by a number of hiking trails from Pak Tam Chung (Site Photos 24 -27).

5. <u>Land Use Proposals</u> (Appendix I)

General Planning Intention

5.1 The Area is surrounded by Sai Kung West Country Park and is rural and natural in character. The general planning intention of the Area is to protect its high conservation and landscape value and the rural settings which complements the overall natural environment and the landscape beauty of the surrounding Sai Kung West Country Park. The planning intention is also to reflect the existing recognized villages of Pak Sha O Village and Pak Sha O Ha Yeung.

"Village Type Development" ("V") Total Area 1.40 ha (Plans 2c – 2e)

- 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.
- The recognized villages within the Area are villages of Pak Sha O and Pak Sha O Ha Yeung. The boundaries of "V" zones are drawn up provisionally having regard to existing village clusters and building structures, approved Small House applications, the 'VE' and existing site conditions. Areas of difficult terrain, dense and mature vegetation, and ecologically sensitive areas have been excluded. 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, traffic and other infrastructure, conservation and landscape character.
- 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 31.6 ha

Amid the Sai Kung West Country Park, the Area has high scenic value forming part of the wider natural environment of the 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.

5.6 Detailed proposals for the Area are set out in the ES (Appendix III).

6. Notes of the Plan (Appendix II)

- 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 Pak Sha O DPA Plan will be renumbered to DPA/NE-PSO/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 23.11.2012, 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

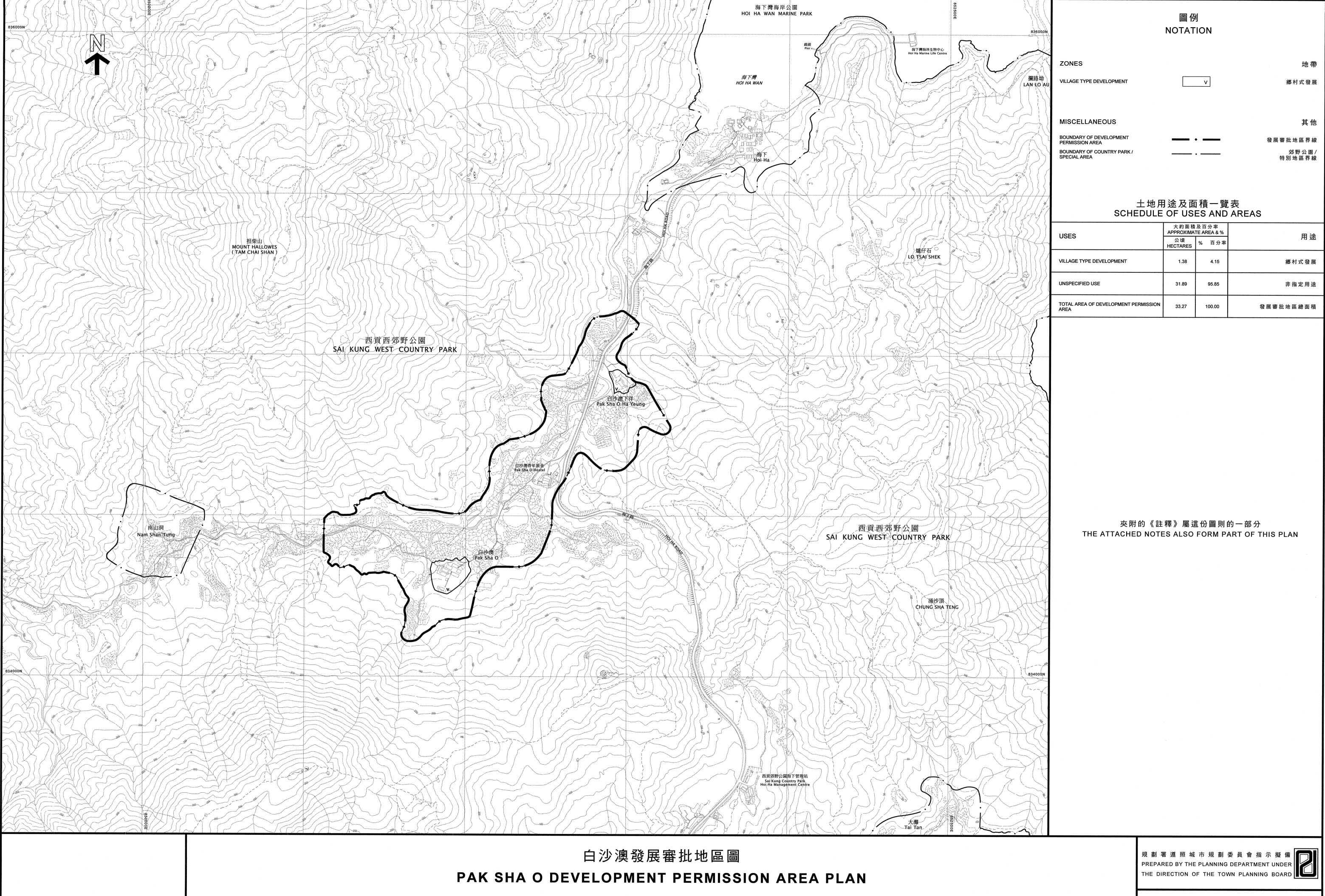
Members are invited to:

- (a) agree that the draft Pak Sha O DPA Plan No. DPA/NE-PSO/B (to be renumbered to DPA/NE-PSO/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 Pak Sha O DPA Plan and that the ES should be issued under the name of the Board; and
- (c) agree that consultation on the draft Pak Sha 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 Pak Sha O Development Permission Area Plan No.
	DPA/NE-PSO/B
Appendix II	Notes of the Draft Pak Sha O Development Permission Area Plan No.
<u>. 7</u>	DPA/NE-PSO/B
Appendix III	Explanatory Statement of the Draft Pak Sha O Development
	Permission Area Plan No. DPA/NE-PSO/B
Plan 1	Location Plan of Pak Sha O
Plan 2a	Planning Scheme Boundary of Pak Sha O Development Permission
	Area
Plan 2a(i)	Locations of Site Photos - Pak Sha O
Plan 2a(ii)	Locations of Site Photos - Pak Sha O Ha Yeung
Plan 2b	Village Environs Boundary and Land Ownership of Pak Sha O
Plan 2c	Proposed "Village Type Development" of Pak Sha O Village
Plan 2d	Proposed "Village Type Development" of Pak Sha O Ha Yeung Village
Plan 2e	Existing Village Houses and Ruined Structures within the Proposed
	"V" Zone in Pak Sha O and Pak Sha O Ha Yeung
Plan 3	Aerial photo
Plans 4a to 4k	Site Photos

PLANNING DEPARTMENT NOVEMBER 2012



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圖則編號 PLAN No. **DPA/NE-PSO/B**

DRAFT PAK SHA O DEVELOPMENT PERMISSION AREA PLAN NO. DPA/NE-PSO/B

(Being a Draft Plan for the Purposes of the Town Planning Ordinance)

NOTES

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

- (1) These Notes show the uses or developments on land falling within the boundaries of the Plan which are always permitted and which may be permitted by the Town Planning Board, with or without conditions, on application. Where permission from the Town Planning Board for a use or development is required, the application for such permission should be made in a prescribed form. The application shall be addressed to the Secretary of the Town Planning Board, from whom the prescribed application form may be obtained.
- (2) Any use or development which is always permitted or may be permitted in accordance with these Notes must also conform to any other relevant legislation, the conditions of the Government lease concerned, and any other Government requirements, as may be applicable.
- (3) No action is required to make the use of any land or building which was in existence immediately before the first publication in the Gazette of the notice of the draft development permission area plan conform to this Plan, provided such use has continued since it came into existence. Any material change of such use or any other development (except minor alteration and/or modification to the development of the land or building in respect of such use which is always permitted) must be always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board.
- (4) 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).

<u>DRAFT PAK SHA O</u> <u>DEVELOPMENT PERMISSION AREA PLAN NO. DPA/NE-PSO/B</u>

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.

DPA/NE-PSO/B

Annex B

VILLAGE TYPE DEVELOPMENT

Column 1	Column 2
Uses always permitted	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,	Eating Place
Post Office only)	Government Refuse Collection Point
House (New Territories Exempted	Government Use (not elsewhere specified)#
House only)	Hotel (Holiday House Only)
On-Farm Domestic Structure	House (not elsewhere specified)
Religious Institution	Institutional Use (not elsewhere specified)#
(Ancestral Hall only)	Market
Rural Committee/Village Office	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)

<u>VILLAGE TYPE DEVELOPMENT</u> (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 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.

<u>DRAFT PAK SHA O</u> <u>DEVELOPMENT PERMISSION AREA PLAN NO. DPA/NE-PSO/B</u>

EXPLANATORY STATEMENT

DRAFT PAK SHA O DEVELOPMENT PERMISSION AREA PLAN NO. DPA/NE-PSO/B

EXPLANATORY STATEMENT

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DRAFT PAK SHA O DEVELOPMENT PERMISSION AREA PLAN NO. DPA/NE-PSO/B

(Being a Draft Plan for the Purposes of the Town Planning Ordinance)

EXPLANATORY STATEMENT

Note: For the purposes of the Town Planning Ordinance, this statement shall not be deemed to constitute a part of the Plan.

1. INTRODUCTION

This Explanatory Statement is intended to assist an understanding of the draft Pak Sha O Development Permission Area Plan No. DPA/NE-PSO/B. It reflects the planning intention and objectives of the Town Planning Board (the Board) for the Plan.

2. <u>AUTHORITY FOR THE PLAN AND PROCEDURE</u>

- On 31.10.2012, 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 Pak Sha O area as a development permission area (DPA).
- 2.2 On XXXX, the draft Pak Sha O DPA Plan No. DPA/NE-PSO/1 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 Pak Sha 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 is encircled by Sai Kung West Country Park with Hoi Ha Wan to its further north. With a scenic setting, the Area is rural in character comprising mainly fallow agricultural land and low-lying marshes occupying the more gentle central areas, surrounded on four sides by shrubs and woodland forming part of the well-established vegetation in the Sai Kung West Country Park.
- The Area is accessible by vehicles as it is bisected by Hoi Ha Road into the western portion where a recognised village, Pak Sha O Village, and Pak Sha O Youth Hostel, are located and the eastern portion which is mainly covered by fallow agricultural land with another recognised village of Pak Sha O Ha Yeung. Pak Sha O Village, a one-time Hakka Village, is currently occupied by a few non-indigenous families. Some nicely restored old village houses with beautiful gardens could be found in this village. Pak Sha O Youth Hostel, which is run by Hong Kong Youth Association, was converted from an abandoned village school comprising three school blocks providing about 110 bed spaces and some camping sites and operated in September 1975. King Siu Sai Kui and Hau Fuk Mun, which is a proposed Grade 1 historic building with the adjacent aviary surrounded by beautiful landscape garden, is currently occupied by an non-indigenous family and is located at Pak Sha O Ha Yeung.
- 5.3 The Area falls within upper indirect water gathering grounds. The Hoi Ha Ecologically Important Stream (EIS), about 1400m in length, is located at the western side of the Area. It is one of the only two localities in Hong Kong that are known to support the rare fish species *Pseudobargrus trilineatus*. Besides, a Fung Shui Wood, covering an area of about 1.3 ha, is located at the southern side of the Pak Sha O Village. Part of the woodland is densely covered with the protected plant species *Aquilaria sinensis*. An unusually large specimen of *Bischofia javanica* has also been recorded inside the Fung Shui Wood. Fallow agricultural land is found mainly in the flat land along the lower slopes in the central part of the Area. Due to lack of maintenance, these fallow agricultural land are overgrown with grass, shrubs and scrubs.
- 5.4 The Area has a number of interesting historical and cultural heritages, including Ho Residence and Ho Ancestral Hall which are Grade 1 historic building,

Immaculate Heart of Mary Chapel which is a Grade 3 historic building and King Siu Sai Kui and Hau Fuk Mun which is a proposed Grade 1 historic building.

5.5 The tranquil rural character and village settlements coupled with woodlands of the surrounding country park has a high landscape value which complements the overall natural environment and the landscape beauty of the surrounding Sai Kung West Country Parks. Apart from the Youth Hostel locating in the Area, a Mountain Bike Trail in Sai Kung West Country Park designated by the Agriculture, Fisheries and Conservation Department falls immediate outside the Area. The Area is also popular to tourists with a number of hiking trails in the Area, some of which connect to Hoi Ha Marine Park to its further north.

6. NEED FOR PLANNING GUIDANCE AND CONTROL

The Area is rural and natural in character with a scenic setting comprising mainly woodland, shrubland, fallow agricultural land, low-lying marshes and stream with village settlements. Excavation works have been detected on private lots, causing adverse impact to the landscape character of the Area. There is an urgent need to better protect the natural and landscape character of the Area so as to avoid further disturbance to the natural environment. In the circumstances, it is necessary to prepare a DPA Plan to cover the Area to provide interim 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 33.27 ha and is surrounded on four sides by Sai Kung West Country Park. The boundary of the Area is shown by a heavy broken line on the Plan.

7.2 General Planning Intention

The Area is surrounded by Sai Kung West Country Park and is rural and natural in character. The general planning intention of the Area is to protect its high conservation and landscape value and the rural settings which complements the overall natural environment and the landscape beauty of the surrounding Sai Kung West Country Park. The planning intention is also to reflect the existing recognized villages of Pak Sha O Village and Pak Sha O Ha Yeung.

7.3 <u>Population</u>

Based on the population data from the 2011 By-census, the total population of the Area was estimated to be about 37.

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

7.4.1 "Village Type Development" ("V"): Total Area 1.38 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 village within the Area comprises Pak Sha O Village and Pak Sha O Ha Yeung. The boundaries of "V" zones are drawn up provisionally having regard to the existing village clusters and building structures, approved Small House applications, the 'VE' and existing site conditions. Areas of difficult terrain, dense and mature vegetation, and ecologically sensitive areas have been excluded. 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, traffic and other infrastructure, conservation and landscape character.
- (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 31.89 ha

Amid the Sai Kung West Country Park, the Area has high scenic value forming part of the wider natural environment of the 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.

7.5 <u>Transport and Utility Services</u>

7.5.1 Road Network and Footpath

At present, the Area is accessible by vehicles via Hoi Ha Road connecting to Pak Tam Road, and is also accessible by a number of hiking trails from Pak Tam Chung.

7.5.2 <u>Utility Services</u>

The Area is provided with electricity and telephone services. Potable water supply has been provided to the existing facilities and villagers of the Area. There are no sewerage and 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 <u>Cultural Heritage</u>

Ho Residence and Ho Ancestral Hall which are Grade 1 historic building, and Immaculate Hear of May Chapel which is a Grade 3 historic building are located at Pak Sha O. King Siu Sai Kui and Hau Fuk Mun which is a proposed Grade 1 historic building are located at Pak Sha O Ha Yeung. On 19 March 2009, the Antiquities Advisory Board (AAB) released the list of 1,444 historic buildings, in which this building within the Area has been given proposed grading. The proposed grading of this historic building has been endorsed by AAB, which is remarked at the official website of the Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department http://www.amo.gov.hk/. Details of the historic buildings have been uploaded onto AMO's official website. 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 historic buildings and its immediate environs.

7.7 Geotechnical Issue

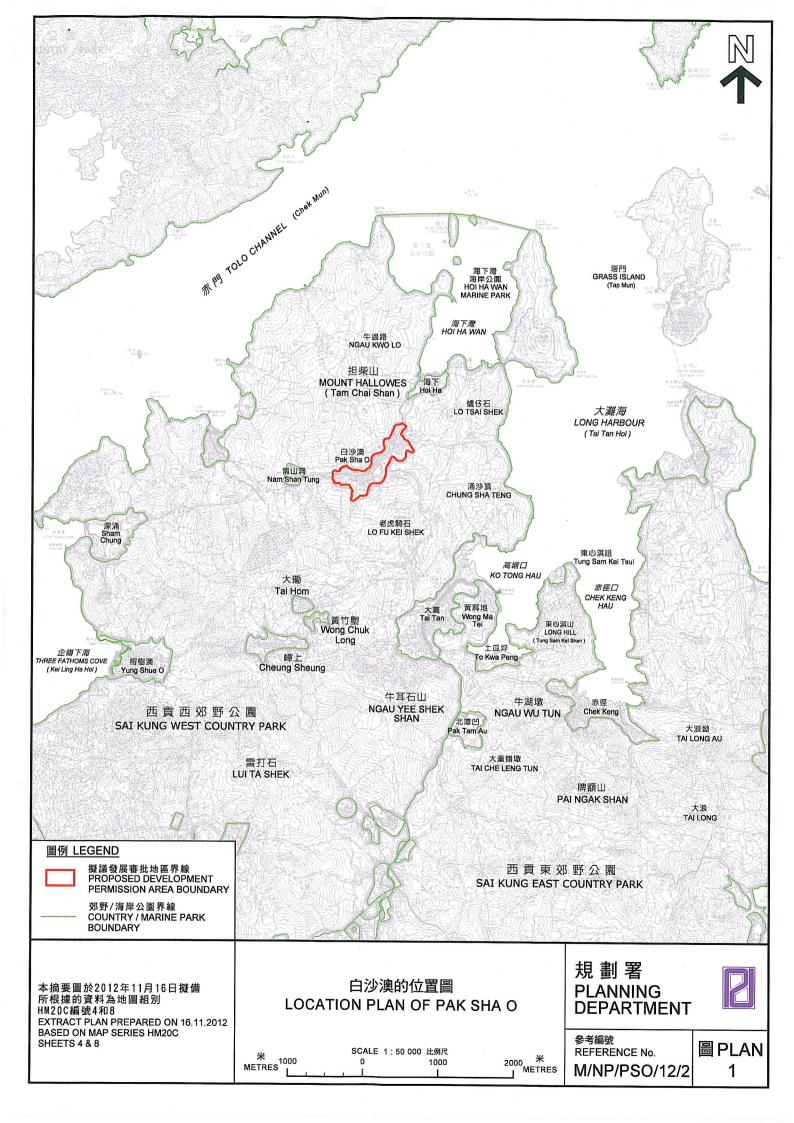
The Area is overlooked by steep natural hillsides and may be affected by potential natural terrain landslide hazards. For developments within the Area, natural terrain hazard studies may be required to ascertain the scale of the hazards and to provide suitable hazard mitigation measures, if found necessary, as part of the developments.

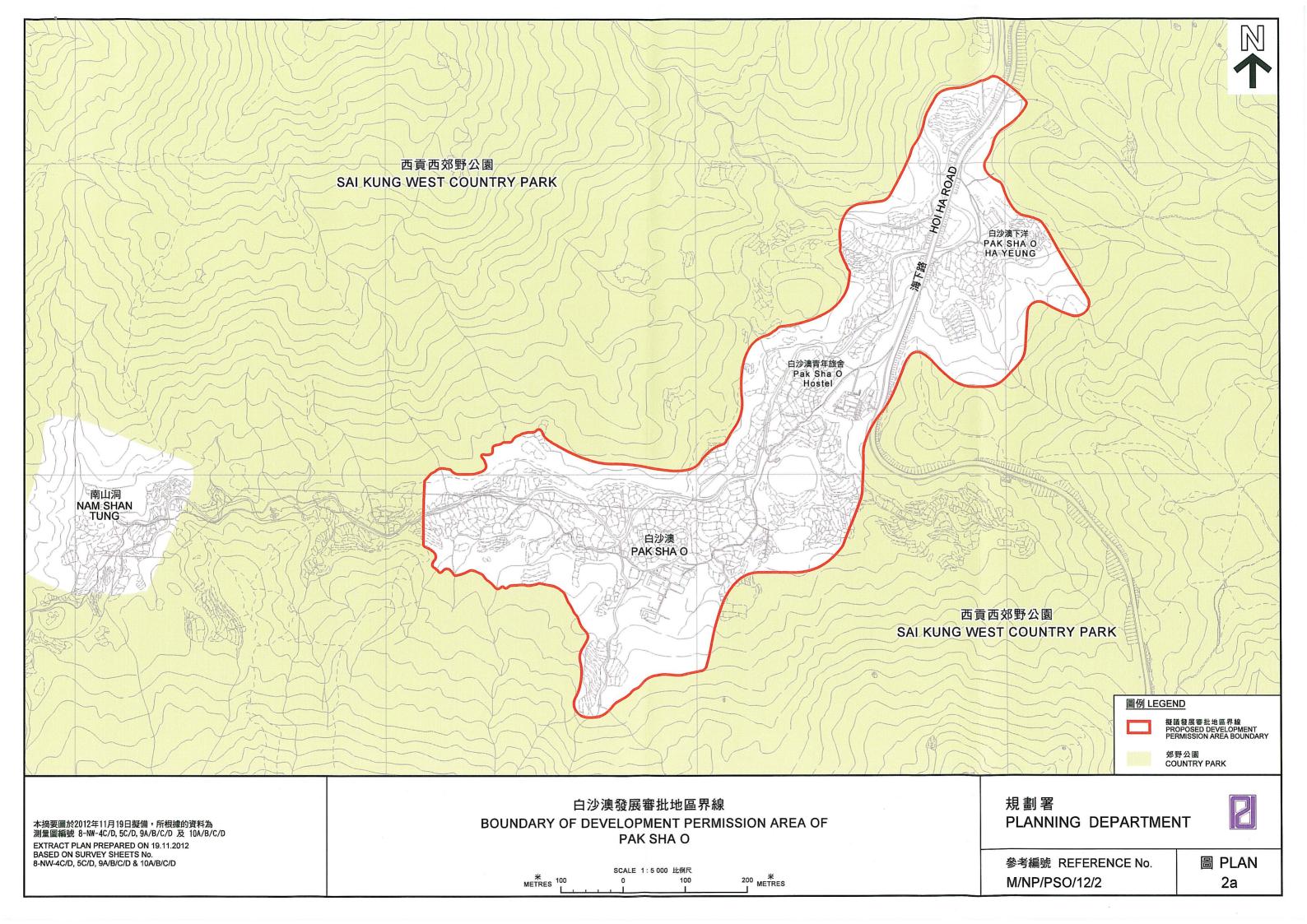
8. PLANNING CONTROL WITHIN THE DEVELOPMENT PERMISSION AREA

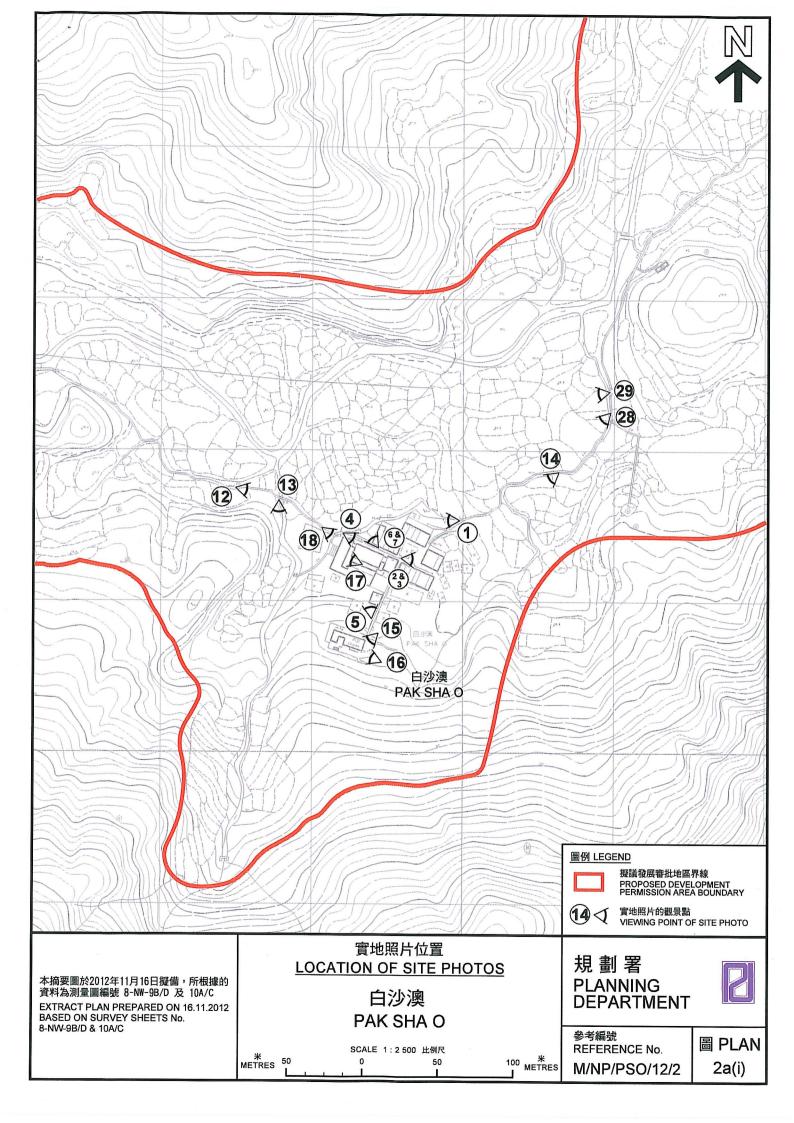
- 8.1 The types of permitted developments and uses on land within the Area are listed in the Notes to the Plan. Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted developments and uses are always permitted 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 the Plan, any material change of such use or any other development (except minor alteration and/or modification to the development of the land or building in respect of such use which is always permitted) must be always permitted in terms of the Plan or, if permission is required, in accordance with a permission granted by the Board. The Board will consider these applications on their individual merits. Those alteration and/or modification works which may lead to an environmental improvement or upgrading to the Area may be considered favourably by the Board.
- 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 DPA plan or with the permission of the Board, undertaken or continued on land included in this DPA Plan on or after the date of the first publication in the Gazette of the notice of the draft DPA plan may be subject to enforcement proceedings under the Ordinance. Any diversion of 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 date

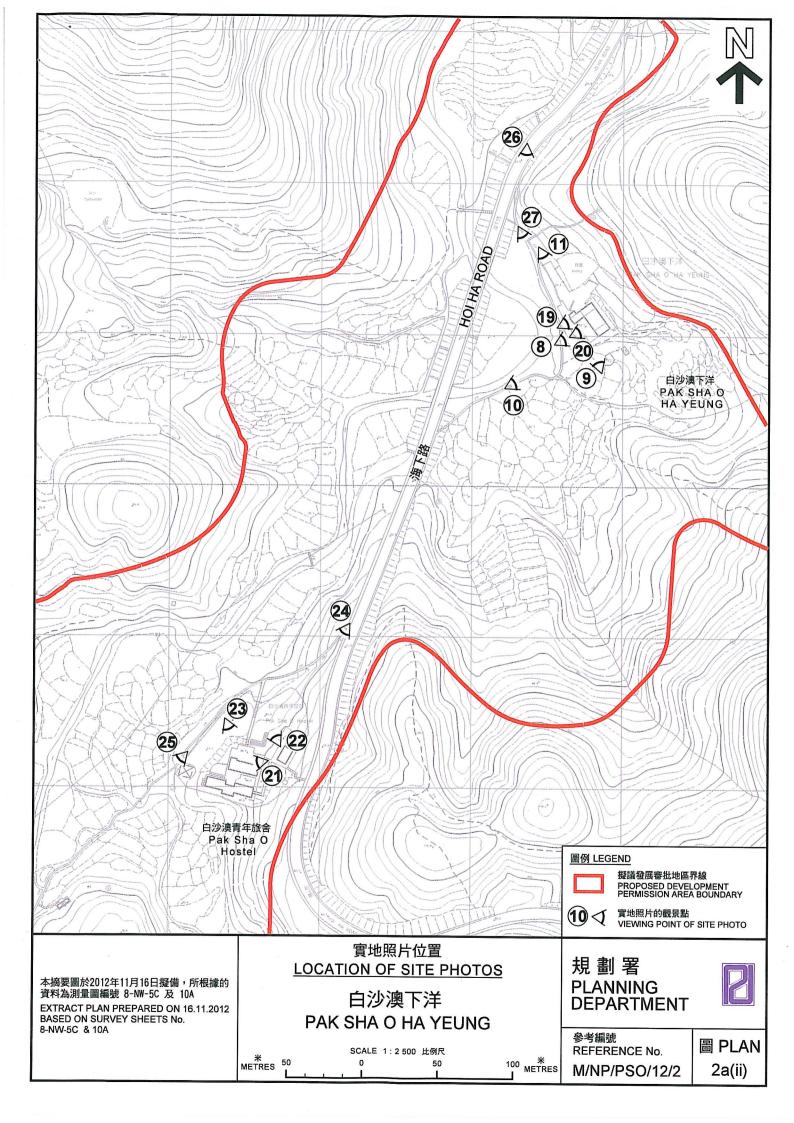
- of the first publication in the Gazette of the notice of the draft DPA plan without permission from the Board may also be subject to enforcement proceedings.
- It is intended that the DPA plan published by the Board will be replaced, within three years, by an OZP. Under the provisions of section 20(5) of the Ordinance, a 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 CE in C. The provision of enforcement will continue to be applicable to the Area after the DPA plan is replaced by an OZP.

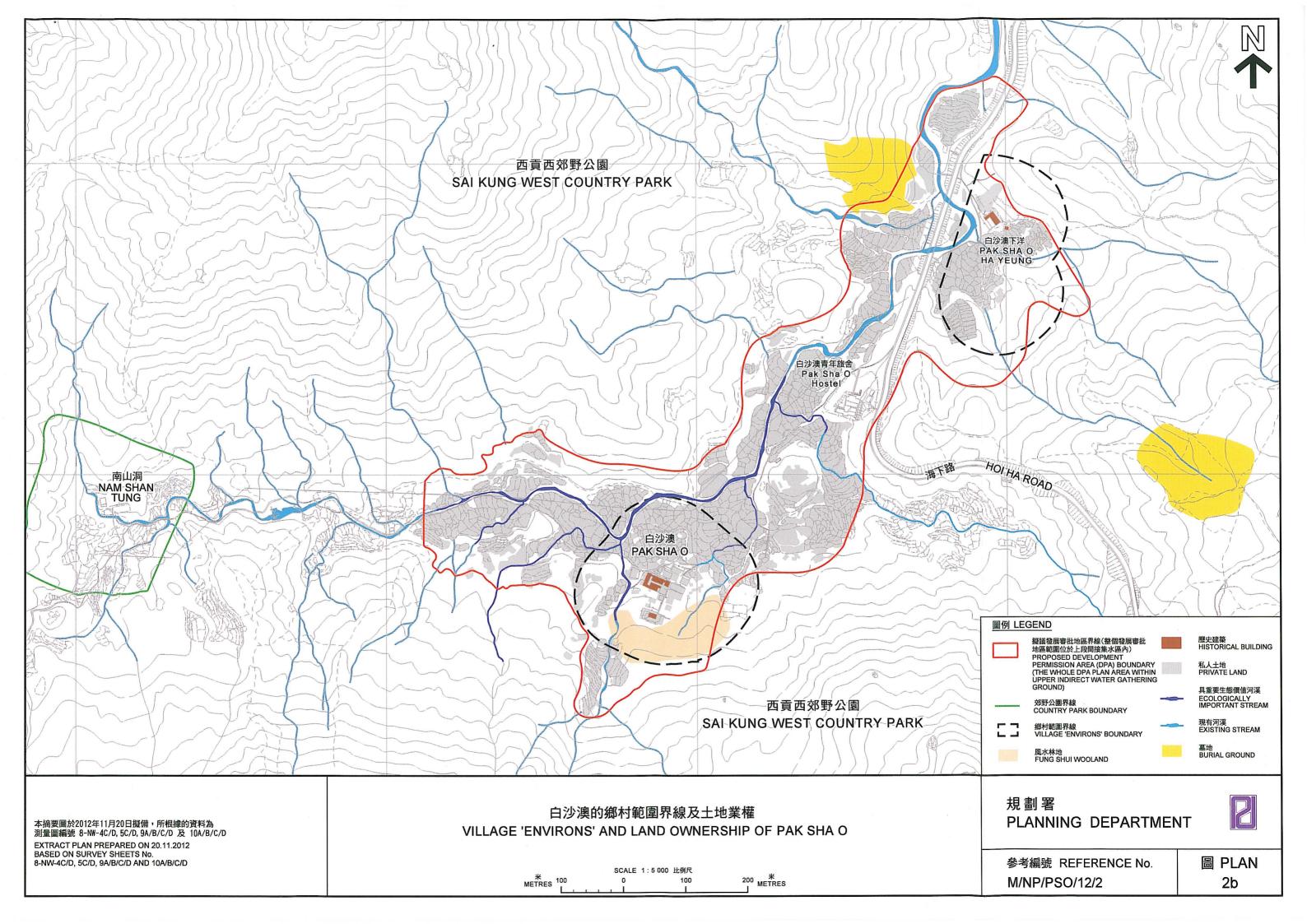
TOWN PLANNING BOARD DECEMBER 2012

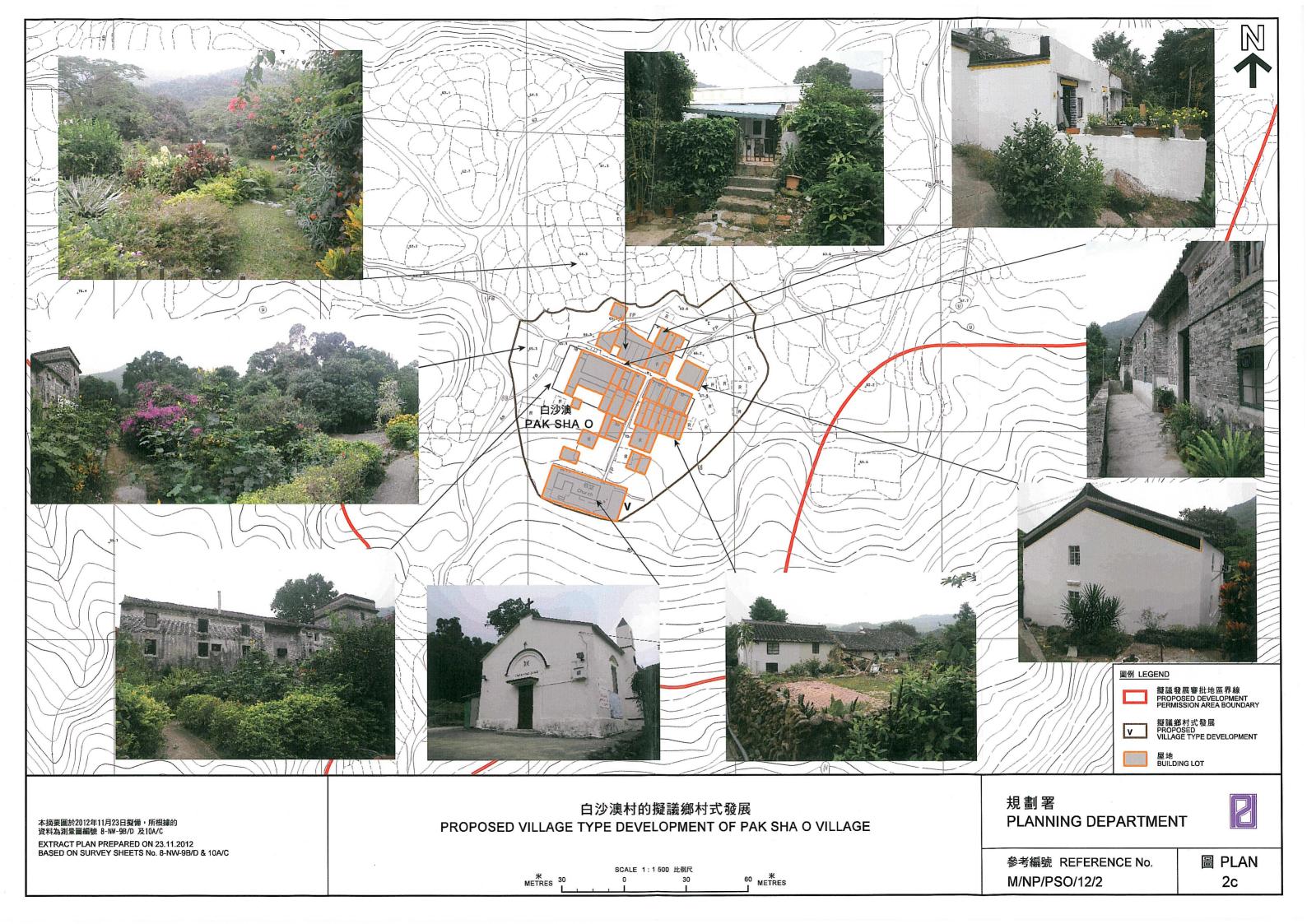


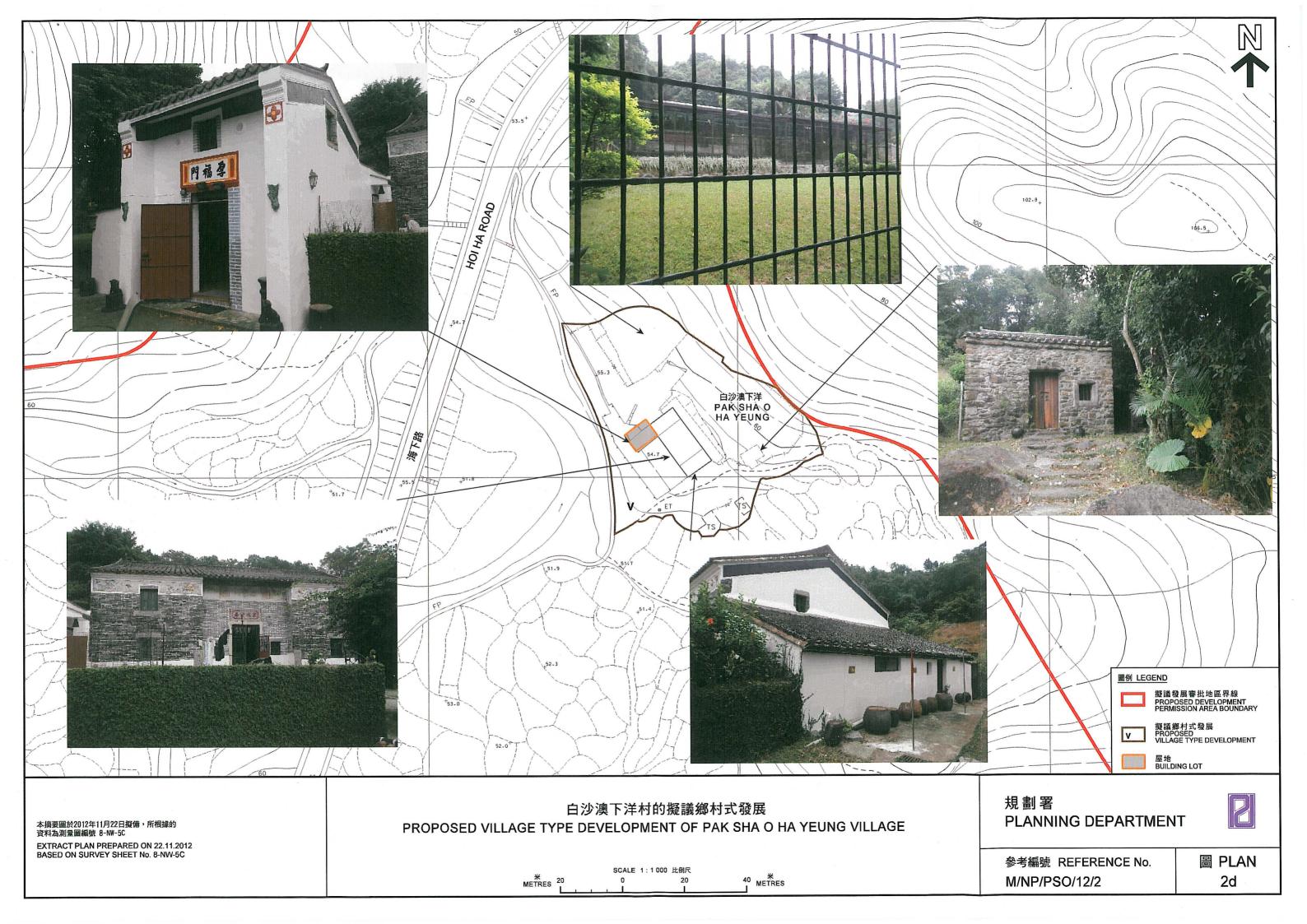


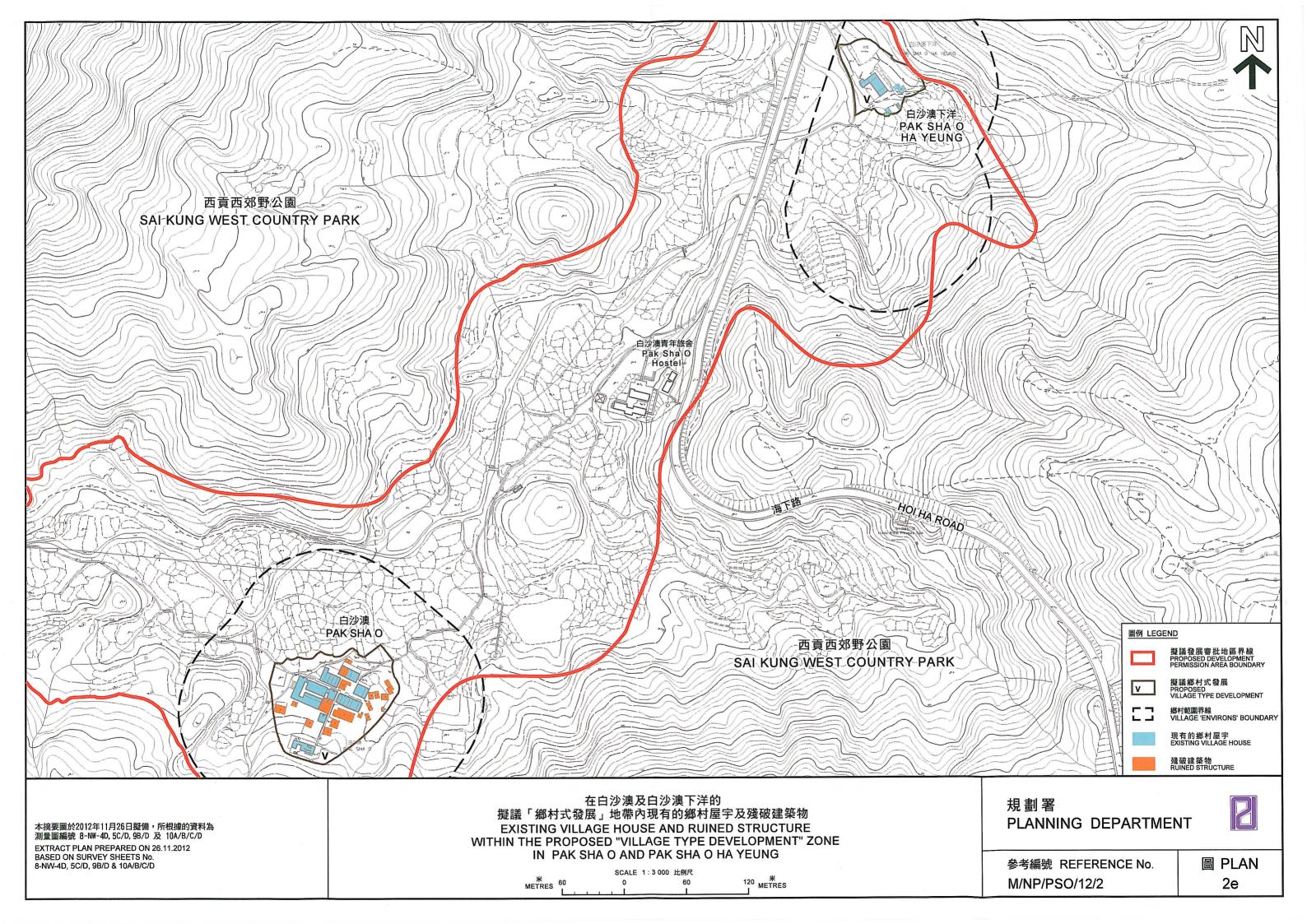


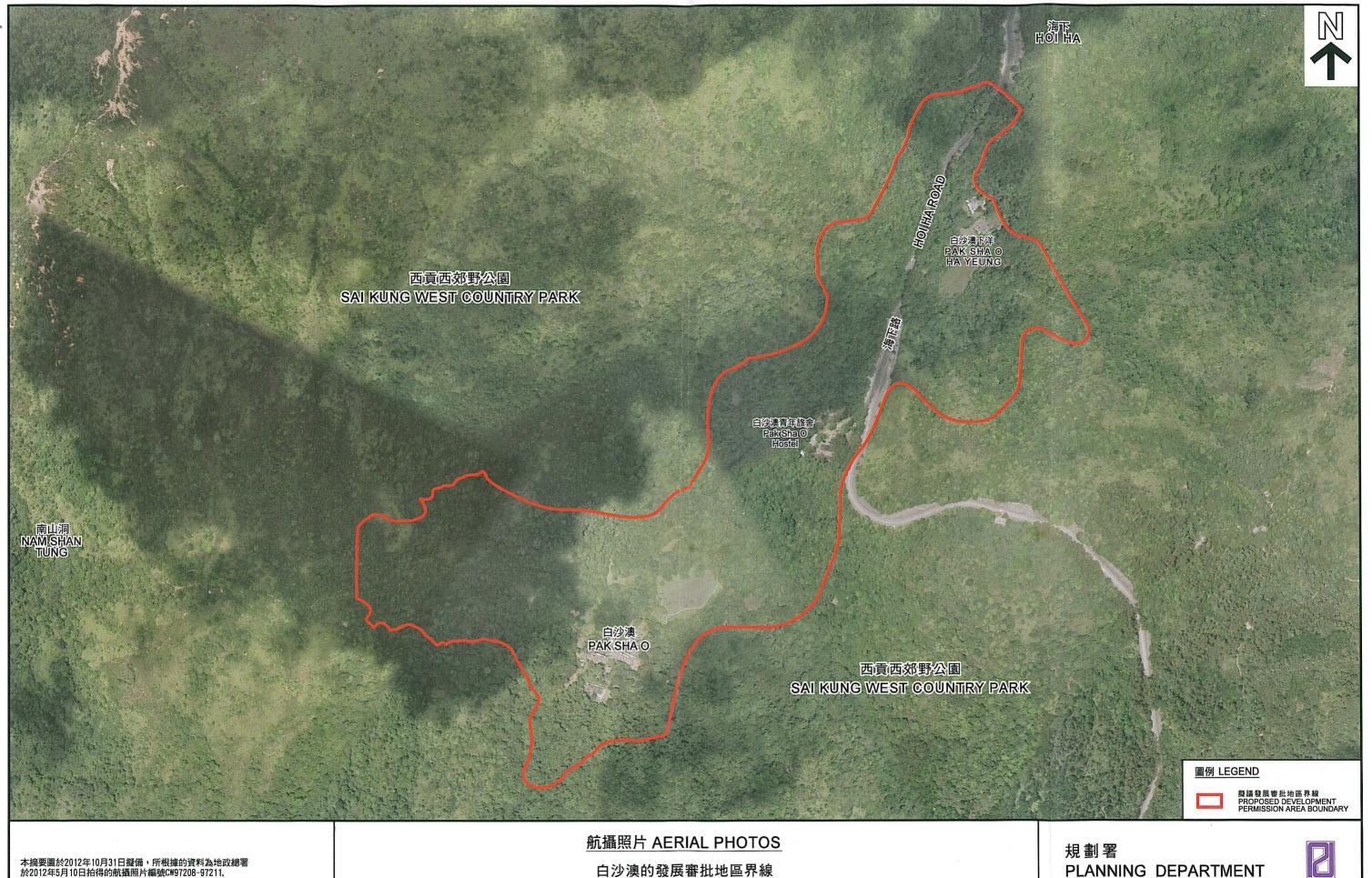












本摘要圖於2012年10月31日提備,所根據的資料為地政總署 於2012年5月10日拍得的航攝照片編號CW97208-97211, CW97273-97276和CW97340-97343

EXTRACT PLAN PREPARED ON 31.10.2012 BASED ON AERIAL PHOTOS No. CW 97208-97211, CW 97273-97276 & CW 97340-97343 TAKEN ON 10.5.2012 BY LANDS DEPARTMENT

白沙澳的發展審批地區界線 BOUNDARY OF DEVELOPMENT PERMISSION AREA OF PAK SHA O

參考編號 REFERENCE No. M/NP/PSO/12/2

圖 PLAN 3







(3)



4



位於白沙澳經修復好的鄉村屋宇 NICELY RESTORED VILLAGE HOUSES AT PAK SHA O VILLAGE

本摘要圖於2012年11月19日擬備 所根據的資料為攝於2012年10月8日 及2012年10月29日的實地照片

EXTRACT PLAN PREPARED ON 19.11.2012 BASED ON SITE PHOTOS TAKEN ON 8.10.2012 AND 29.10.2012

實地照片 SITE PHOTOS

白沙澳 PAK SHA O

規劃署 PLANNING DEPARTMENT



参考編號 REFERENCE No. M/NP/PSO/12/2

圖 PLAN 4a











在 白 沙 澳 村 擁 有 美 麗 花 園 的 鄉 村 屋 宇 VILLAGE HOUSES WITH BEAUTIFUL GARDENS AT PAK SHA O VILLAGE

本摘要圖於2012年10月31日擬備 所根據的資料為攝於2012年10月8日 的實地照片 EXTRACT PLAN PREPARED ON 31.10.20

EXTRACT PLAN PREPARED ON 31.10.2012 BASED ON SITE PHOTOS TAKEN ON 8.10.2012

實地照片 SITE PHOTOS

白沙澳 PAK SHA O

規 劃 署 PLANNING DEPARTMENT



参考編號 REFERENCE No. M/NP/PSO/12/2

圖PLAN 4b



9



位於白沙澳下洋的擬議一級歷史建築物 - 京兆世居及厚福門 PROPOSED GRADE 1 HISTORIC BUILDING AT PAK SHA O HA YEUNG - KING SIU SAI KUI AND HAU FUK MUN

本摘要圖於2012年11月2日擬備 所根據的資料為攝於2012年10月8日 的實地配置

BASED ON SITE PHOTOS TAKEN
ON 8.10.2012

實地照片 SITE PHOTOS

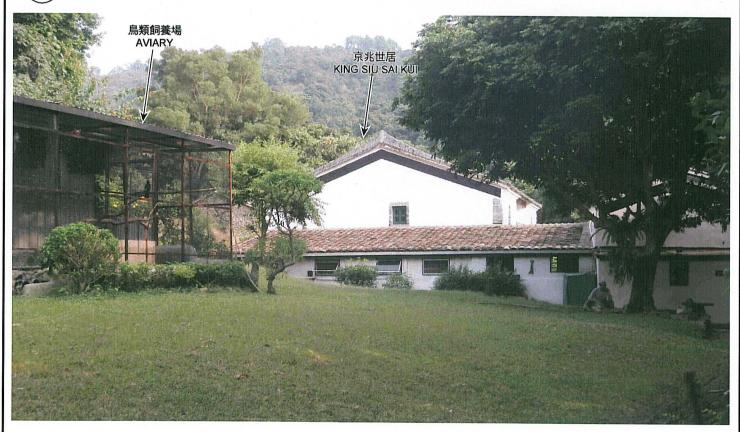
白沙澳下洋 PAK SHA O HA YEUNG 規劃署 PLANNING DEPARTMENT



参考編號 REFERENCE No. M/NP/PSO/12/2

圖 PLAN 4c





位於白沙澳下洋京兆世居及厚福門與毗鄰的鳥類飼養場及美麗園景花園 KING SIU SAI KUI AND HAU FUK MUN WITH THE ADJACENT AVIARY WITH BEAUTIFUL LANDSCAPE GARDEN AT PAK SHA O HA YEUNG

本摘要圖於2012年11月15日擬備 所根據的資料為攝於2012年10月8日 的實地照片

的實地照片 EXTRACT PLAN PREPARED ON 15.11.2012 BASED ON SITE PHOTOS TAKEN ON 8.10.2012 實地照片 SITE PHOTOS

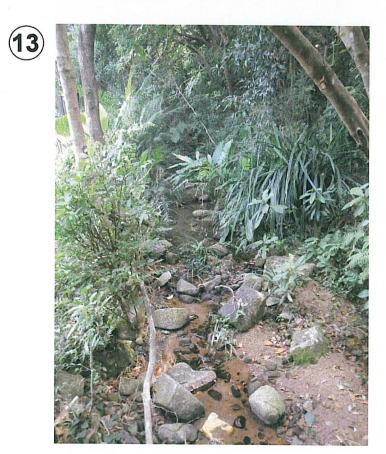
白沙澳下洋 PAK SHA O HA YEUNG 規劃署 PLANNING DEPARTMENT



参考編號 REFERENCE No. M/NP/PSO/12/2

圖 PLAN 4d





在 白 沙 澳 具 重 要 生 態 價 值 的 河 溪 ECOLOGICALLY IMPORTANT STREAM AT PAK SHA O

本摘要圖於2012年11月2日擬備 所根據的資料為攝於2012年10月8日 的實地照片 EXTRACT PLAN PREPARED ON 31 10 202

的貨地無行 EXTRACT PLAN PREPARED ON 31.10.2012 BASED ON SITE PHOTOS TAKEN ON 8.10.2012

實地照片 SITE PHOTOS

白沙澳 PAK SHA O

規劃署 PLANNING DEPARTMENT



参考編號 REFERENCE No. M/NP/PSO/12/2

圖PLAN 4e





天然林地和休耕農地 NATURAL WOODLAND AND FALLOW AGRICULTURAL LAND



風水林地 FUNG SHUI WOOD

天然林地、風水林地和休耕農地 NATURAL WOODLAND, FUNG SHUI WOODLAND AND FALLOW AGRICULTURAL LAND

本摘要圖於2012年11月16日擬備 所根據的資料為攝於2012年10月29日 的實地照片 EXTRACT PLAN PREPARED ON 16.11.2012 BASED ON SITE PHOTOS TAKEN ON

29.10.2012

實地照片 SITE PHOTOS

白沙澳 PAK SHA O 規 劃 署 PLANNING DEPARTMENT



参考編號 REFERENCE No. M/NP/PSO/12/2 圖PLAN 4f



三級歷史建築 - 聖母無玷之心小堂 GRADE 3 HISTORIC BUILDING -IMMACULATE HEART OF MAY CHAPEL





一級歷史建築 - 何氏舊居及何氏祠堂 GRADE 1 HISTORIC BUILDING - HO RESIDENCE AND HO ANCESTRAL HALL

(18)



一級歷史建築 - 何氏舊居及何氏祠堂 GRADE 1 HISTORIC BUILDING - HO RESIDENCE AND HO ANCESTRAL HALL

本摘要圖於2012年11月19日擬備 所根據的資料為攝於2012年10月8日 及2012年10月29日的實地照片 EXTRACT PLAN PREPARED ON 19.11.2012 BASED ON SITE PHOTOS TAKEN ON 8.10.2012 AND 29.10.2012 實地照片 SITE PHOTOS

白沙澳 PAK SHA O 規劃署 PLANNING DEPARTMENT



参考編號 REFERENCE No. M/NP/PSO/12/2



厚福門 HAU FŲK MUN

(19)



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擬議一級歷史建築 - 京兆世居及厚福門 PROPOSED GRADE 1 HISTORIC BUILDING - KING SIU SAI KUI AND HAU FUK MUN

本摘要圖於2012年11月2日擬備 所根據的資料為攝於2012年10月29日 的實地照片

EXTRACT PLAN PREPARED ON 2.11.2012 BASED ON SITE PHOTOS TAKEN ON 29.10.2012

實地照片 SITE PHOTOS

白沙澳下洋 PAK SHA O HA YEUNG 規 劃 署 PLANNING DEPARTMENT



參考編號 REFERENCE No. M/NP/PSO/12/2



(21)







23



白沙澳青年旅舍 PAK SHA O YOUTH HOSTEL

本摘要圖於2012年11月2日擬備 所根據的資料為攝於2012年10月29日 的實地照片

的真地照片 EXTRACT PLAN PREPARED ON 2.11.2012 BASED ON SITE PHOTOS TAKEN ON 29.10.2012

實地照片 SITE PHOTOS

白沙澳 PAK SHA O 規 劃 署 PLANNING DEPARTMENT



参考編號 REFERENCE No. M/NP/PSO/12/2

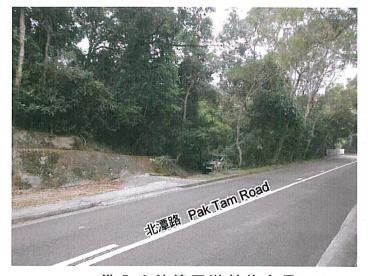
圖 PLAN 4i





進入白沙澳村的小徑 TRAILS LEADING TO PAK SHA O VILLAGE









進入白沙澳下洋村的小徑 TRAILS LEADING TO PAK SHA O HA YEUNG VILLAGE

本摘要圖於2012年11月19日發傭 所根據的資料為攝於2012年10月8日 及2012年10月29日的實地照片 EXTRACT PLAN PREPARED ON 19.11.2012 BASED ON SITE PHOTO TAKEN ON 8.10.2012 AND 29.10.2012

實地照片 SITE PHOTOS

白沙澳及白沙澳下洋 PAK SHA O AND PAK SHA O HA YEUNG

規劃署 PLANNING DEPARTMENT



參考編號 REFERENCE No. M/NP/PSO/12/2





(29)



在白沙澳村的挖掘工程 EXCAVATION WORKS AT PAK SHA O VILLAGE

本摘要圖於2012年11月2日擬備 所根據的資料為攝於2012年10月24日 的實地照片

EXTRACT PLAN PREPARED ON 2.11.2012 BASED ON SITE PHOTOS TAKEN ON 24.10.2012

實地照片 SITE PHOTOS

白沙澳 PAK SHA O

規 劃 署 PLANNING DEPARTMENT



參考編號 REFERENCE No. M/NP/PSO/12/2

圖 PLAN 4k