

TOWN PLANNING BOARD

**TPB Paper No. 9700
For Consideration by
the Town Planning Board on 1.8.2014**

**DRAFT MAU PING OUTLINE ZONING PLAN NO. S/ST-MP/C
FURTHER CONSIDERATION OF A NEW PLAN**

DRAFT MAU PING OUTLINE ZONING PLAN NO. S/ST-MP/C
FURTHER CONSIDERATION OF A NEW PLAN

1. Introduction

The purposes of this paper are to:

- (a) report on the results of the consultation with the Sha Tin District Council (STDC), Sha Tin Rural Committee (STRC) and Sai Kung Rural Committee (SKRC)¹, and other public views on the draft Mau Ping Outline Zoning Plan (OZP) No. S/ST-MP/B; and
- (b) seek Members' agreement that the draft Mau Ping OZP No. S/ST-MP/C, its Notes and Explanatory Statement (ES) (**Annexes I to III**) are suitable for public inspection under section 5 of the Town Planning Ordinance (the Ordinance).

2. Background

- 2.1 On 11.4.2014, the Town Planning Board (the Board) gave preliminary consideration to the draft Mau Ping OZP No. S/ST-MP/B (TPB Paper No. 9596) and agreed that the draft OZP was suitable for submission to the STDC and STRC for consultation. An extract of the minutes of the Board's meeting held on 11.4.2014 and TPB Paper No. 9596 are at **Annexes IV and V** respectively for Members' reference.
- 2.2 Major land use proposals of the draft OZP No. S/ST-MP/B (**Plan 1**) (the draft OZP) have been highlighted in the TPB Paper No. 9596 and recapitulated below:

"Conservation Area" ("CA") Zone (5.57 ha and 12.31%) (Plans 1 to 3)

- (a) The Mau Ping *Fung Shui* Wood behind the Mau Ping San Uk is in good condition and plant species of conservation interest are found therein. The Agriculture, Fisheries and Conservation Department (AFCD) has proposed to extend the boundary of the existing Mau Ping Site of Special Scientific Interest (SSSI) southward to also cover the northern part of the Area, so as to better protect the population of a protected plant species i.e. *Camellia crapnelliana* (紅皮糙果茶) found in this area. Hence, these areas are proposed to be zoned "CA" to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development.

¹ As District Lands Officer/Sai Kung (DLO/SK) advises that the indigenous villagers of Mau Ping Village and Wong Chuk Shan Village have moved to Sai Kung decades ago, and settled in the Mau Ping New Village (MPNV) and Wong Chuk Shan New Village (WCSNV), SKRC has also been consulted.

“Green Belt” (“GB”) Zone (38.88 ha and 85.90%) (Plans 1 to 3)

- (b) The areas, comprising mainly natural vegetation, woodland, hillside shrubland, natural streams and a traditional burial ground, are proposed to be zoned “GB” to serve as a buffer between any future Small House developments and the Country Park. They would also help to conserve the high landscape and rural setting of the Area.

“Village Type Development” (“V”) Zone (0.81 ha and 1.79%) (Plans 1, 2 and 4)

- (c) Given the natural environment with conservation and landscape value coupled with its site constraints including inaccessibility due to lack of vehicular access, potential natural terrain landslide hazards and its location within the upper indirect Water Gathering Ground, a prudent approach for designation of “V” zone for Small House development has been adopted. Discounting the surrounding environmentally sensitive areas, about 0.81 ha of land mainly comprising the building lots within the existing village settlements has been reserved for Small House development.

3. Local Consultation

STDC, STRC and SKRC

3.1 STDC, STRC and SKRC were consulted on the draft OZP. Members of the STDC at its meeting on 3.7.2014 in general had no objection to the draft OZP and raised the following major comments:

- (a) The feasibility to provide hiking trail, vehicular access and recreational/tourism facilities in Mau Ping should be examined;
- (b) The planning intention for the burial ground at the northeastern part of the Area should be considered;
- (c) The draft OZP should satisfactorily protect the surrounding environment as well as the aspiration of the indigenous villagers for Small House development; and
- (d) There are concerns about possible adverse impact of village type development on the Mau Ping *Fung Shui* Wood, which is zoned “CA” but falls within the village ‘environ’ (‘VE’).

3.2 There have been no comments received from STRC and SKRC².

Local Villagers

3.3 In 2011 Census, there was no population in the Area. Moreover, no Village Representatives (VRs) were elected in the two recognized villages, namely Mau

² Consultation documents were sent to STRC and SKRC in May 2014, and both of them verbally advise that they do not have any comments/views.

Ping and Wong Chuk Shan, in the VR Election of 2011. As such, no comments or submissions have been received from local villagers.

Environmental Concern Groups

- 3.4 On 23.6.2014, Kadoorie Farm and Botanic Garden Corporation (KFBG) submitted a proposal titled “Mau Ping (Ma On Shan Country Park Enclave)”³ including a botanical survey, suggesting that the whole Area should be covered by “CA” zone, or even “SSSI” zone, as the Area was predominantly covered with mature secondary woodland with high plant diversity, and many rare plant species were found. KFBG also indicates that the number of approved planning applications for Small House development in “GB” zone is not small and the trend has been increasing, and in view of the high botanical importance of Mau Ping, “GB” zone is not an appropriate zoning for this enclave (**Annex VI**).
- 3.5 WWF-Hong Kong submitted a letter on 10.7.2014 holding views similar to those of KFBG. According to the letter, it is recognized that the ecological values of Mau Ping are not merely located at any particular location of the Area but embedded within the whole Area, and it is recommended to change the “GB” zone to “CA” zone so as to safeguard the ecological integrity of the whole Area (**Annex VII**).

4. Planning Department’s Responses

Responses to STDC’s Comments

- 4.1 Planning Department (PlanD)’s responses to the major comments raised by the Members of STDC are as follows:

Provision of Hiking Trail, Vehicular Access and Recreational/Tourism Facilities in Mau Ping

- (a) The Area is accessible via footpaths such as the Pak Kong – Mui Tsz Lam Trackway that leads up to the Area from Pak Kong in the Sai Kung area or Mui Tsz Lam in the Ma On Shan area. The MacLehose Trail runs close to and alongside the Area to its southeastern side. At present, the Area is not served by any vehicular access. However, flexibility has been provided in the covering Notes of the draft OZP for road works coordinated and implemented by Government. Regarding vehicular access to the Area, any provision would have to pass through the Country Park. The impact would have to be carefully assessed and consent of the Country and Marine Parks Authority must be obtained;
- (b) Regarding the recreational/tourism facilities, provision has been made for planning application for uses such as ‘Hotel (Holiday House only)’, ‘Place of Recreation, Sports or Culture’ and ‘Public Convenience’ in the “V” zone, and ‘Field Study/Education/Visitor Centre’ and ‘Public Convenience’ in the “CA” zone;

³ The proposal is same as the one submitted on 21.2.2014 (Appendix V of TPB Paper No. 9596 at Annex V) during the course of preparing the draft OZP.

Planning Intention for the Burial Ground at the Northeastern Part of the Area

- (c) The permitted burial ground at the northeastern part of the Area has been in existence for many years, which is considered as an existing use and intended for burial places of deceased indigenous villagers in the Area. In accordance with the covering Notes of the OZP, a use in existence before the first publication of the DPA Plan is always permitted.

The Aspiration of the Indigenous Villagers for Small House Development

- (d) There was no population in the Area in 2011 Census, no outstanding Small House application and no 10-year forecasts of Small House demand for the two recognized villages. No planning application within the Area has been received by the Board since the gazettal of the draft DPA Plan. District Lands Officer/Sai Kung advises that the indigenous villagers of Mau Ping Village and Wong Chuk Shan Village have moved to Sai Kung decades ago, and settled in the Mau Ping New Village (MPNV) and Wong Chuk Shan New Village (WCSNV). SKRC has also been consulted and does not have any views; and

Concerns about the Possible Adverse Impact of Village Type Development on the Mau Ping Fung Shui Wood, which is Zoned “CA” but Falls within the Village ‘Environ’

- (e) The ‘VE’ in general refers to a 300 ft distance surrounding a recognized village where Small House applications are considered. It is under the purview of Lands Department. The Mau Ping *Fung Shui* Wood behind the Mau Ping San Uk, which falls within the ‘VE’, is in good condition and plant species of conservation interest are found therein. Hence, the area is proposed to be zoned “CA” to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development. Various areas within the ‘VE’ have been separately zoned “V” to concentrate the village type development within this zone.

Responses to Environmental Concern Groups’ Comments

4.2 In consultation with departments concerned, PlanD’s responses to the proposals from KFBG and WWF-Hong Kong are as follows:

- (a) The Area forms an integral part of the natural system of the natural woodlands in the adjoining Ma On Shan Country Park that supports populations of rare plant and fauna species of conservation interests. The landscape and amenity value of the Area is high. As such, the general planning intention of the Area is to protect its conservation and landscape value which complements the overall naturalness and the landscape beauty of the surrounding Ma On Shan Country Park. Nevertheless, there are two recognized villages in the Area, namely Mau Ping and Wong Chuk Shan. Hence, the planning intention is also to reflect the existing recognized villages in the Area and land should be reserved at suitable locations for village development;

- (b) Director of Agriculture, Fisheries and Conservation (DAFC) and Chief Town Planner/Urban Design & Landscape, PlanD (CTP/UD&L) in general have no objection to the environmental concern groups' comments including the findings of the botanical survey by KFBG. The proposed "CA" zone could be considered for the secondary woodland which is ecologically linked with the Ma On Shan Country Park. Regarding the proposed "SSSI" zone, there is no existing designated SSSI in the Area, hence the proposed zoning of "SSSI" for the whole Area is not considered as justified or appropriate; and
- (c) The number of approved planning applications for Small House development in "GB" zone as quoted by KFBG is a territorial figure and not specific to Mau Ping. In fact, since the gazettal of the draft DPA Plan on 26.8.2011, no planning application has been received. There is neither outstanding Small House application nor Small House demand forecasts in the two recognized villages in the Area.

Proposed Amendment of Rezoning the "GB" Zone to "CA" Zone

- 4.3 On the draft Mau Ping OZP No. S/ST-MP/B, the Mau Ping *Fung Shui* Wood as well as the northern part of the Area covered by the proposed extension of SSSI, of which the boundary has been clearly delineated, were proposed to be zoned "CA". The secondary woodland, of which the boundary could not be clearly delineated at that time, and the stream, were zoned "GB" to protect the ecologically sensitive areas and the rural setting of the Area.
- 4.4 In the course of preparation of the draft OZP for the Board's further consideration, further habitat information has been received from and collated in consultation with DAFC and CTP/UD&L. DAFC confirms that the extent of the secondary woodland within the Area has been found to be unfragmented and is ecologically-linked with the Ma On Shan Country Park. The woodlands in the Area comprising lowland forest, *fung shui* forest and mixed shrubland are considered as high value ecological habitats, and thus should be considered be covered by "CA" zone to better reflect its conservation value. The "CA" zone is also supported by CTP/UD&L from the landscape value point of view.
- 4.5 Taking into account the advice from DAFC and CTP/UD&L, it is proposed to amend the draft Mau Ping OZP No. S/ST-MP/B by rezoning the "GB" to "CA" (**Plan 5**). Whilst new house development is not permitted in the "CA" zone, redevelopment of house may be permitted on application to the Board.
- 4.6 There is a permitted burial ground at the northeastern part of the Area within the proposed "CA" zone, which has been in existence for many years and is considered as an existing use. As such, provision of graves of deceased indigenous villagers within the permitted burial ground does not contravene the OZP. The covering Notes of the OZP has also made provision for maintenance or repair of graves within "CA" zone.

Further Consultation and PlanD's Responses

- 4.7 A meeting was arranged via the Chairman of SKRC to consult the Indigenous Village Representatives (IIRs) of MPNV and WCSNV on 22.7.2014 on the

proposed “CA” zone. Their major comments are summarized below:

- (a) The villagers would not agree to the proposed amendment, as this would further restrict the use and development right of their private properties; and
- (b) The “V” zones are too small in comparison with the ‘VE’ and thus should be enlarged.

4.8 PlanD’s responses to the major comments of the IIRs of MPNV and WCSNV are as follows:

- (a) In view of the further information/views from DAFC and CTP/UD&L, “CA” zone is considered more appropriate to reflect the conservation value of the secondary woodland in Mau Ping which is ecologically linked with the Ma On Shan Country Park;
- (b) There was no population in the Area in 2011 Census, no outstanding Small House application, no 10-year forecasts of Small House demand for the two recognized villages, and no planning application within the Area has been received by the Board since the gazettal of the draft DPA Plan. District Lands Officer/Sai Kung advises that the indigenous villagers of Mau Ping Village and Wong Chuk Shan Village have moved to Sai Kung decades ago, and settled in MPNV and WCSNV; and
- (c) Given the natural environment with conservation and landscape value coupled with its site constraints including inaccessibility due to lack of vehicular access, potential natural terrain landslide hazards and its location within the upper indirect Water Gathering Ground, a prudent approach for designation of “V” zone for Small House development has been adopted. Discounting the surrounding environmentally sensitive areas, about 0.81 ha of land mainly comprising the building lots within the existing village settlements has been reserved for Small House development. Within the “V” zones, about 0.28 ha of land is available (or equivalent to about 11 Small House sites).

4.9 In summary, apart from the proposed amendment to rezone the “GB” to “CA” as shown on **Plan 5**, other land use zonings on the draft OZP (**renumbered as No. S/ST-MP/C at Annex I**) are considered appropriate. The Notes (**Annex II**) and ES (**Annex III**) have also been amended accordingly.

5. **Land Use Zonings** (Annex I)

5.1 Having regard to the above, the proposed land use zonings of the draft Mau Ping OZP No. S/ST-MP/C are as follows:

“Conservation Area”: Total Area 44.45 ha

- (a) A total of about 44.45 ha of land is zoned “CA” to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of

development;

- (b) The “CA” zone mainly covers the woodlands which are natural in character and are ecologically-linked with the Ma On Shan Country Park, and protected plant species as well as a number of animal species of conservation interest have been recorded in the Area. The predominant habitat types of the “CA” zone are lowland forest and *fung shui* forest, with small patches of mixed shrubland, which are high value ecological habitats. The natural stream with its tributaries running through the Area is of pristine water quality and supports a number of species of conservation interest; and
- (c) It also covers Mau Ping *Fung Shui* Wood behind the Mau Ping San Uk. It is in good condition and plant species of conservation interest are found therein. A northern part of the Area, where the protected plant species including the *Camellia crapnelliana* (紅皮糙果茶) are found, is also covered by “CA” zone. The AFCD has proposed to extend the boundary of the existing Mau Ping SSSI southward to also cover the northern part of the Area, and the designation of the extended SSSI boundary is in progress.

“Village Type Development”: Total Area 0.81 ha

- (d) A total of about 0.81 ha of land is zoned “V” to cover the existing village clusters and their village expansion areas. The boundaries of the “V” zone are drawn up having regard to the ‘VE’, the number of outstanding Small House applications, Small House demand forecast, local topography and site constraints. Areas of difficult terrain, dense vegetation, stream courses and burial grounds have been avoided as far as possible; and
- (e) 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 Board.

5.2 A table comparing the land use budget of the Area covered by the draft Mau Ping OZP No. S/ST-MP/C and the previous draft Mau Ping OZP No. S/ST-MP/B are as follows:

Zoning	Draft Mau Ping OZP No. S/ST-MP/B (ha / %)		Draft Mau Ping OZP No. S/ST-MP/C (ha / %)		Increase / Decrease (ha)
Conservation Area	5.57	12.31	44.45	98.21	+38.88
Green Belt	38.88	85.90	0.00	0.00	-38.88
Village Type Development	0.81	1.79	0.81	1.79	No change
Total Planning Area	45.26	100.00	45.26	100.00	No change

6. Consultation

The STDC, STRC and SKRC will be consulted after the Board's agreement to the publication of the draft Mau Ping OZP under section 5 of the Ordinance during the exhibition period of the OZP.

7. Decision Sought

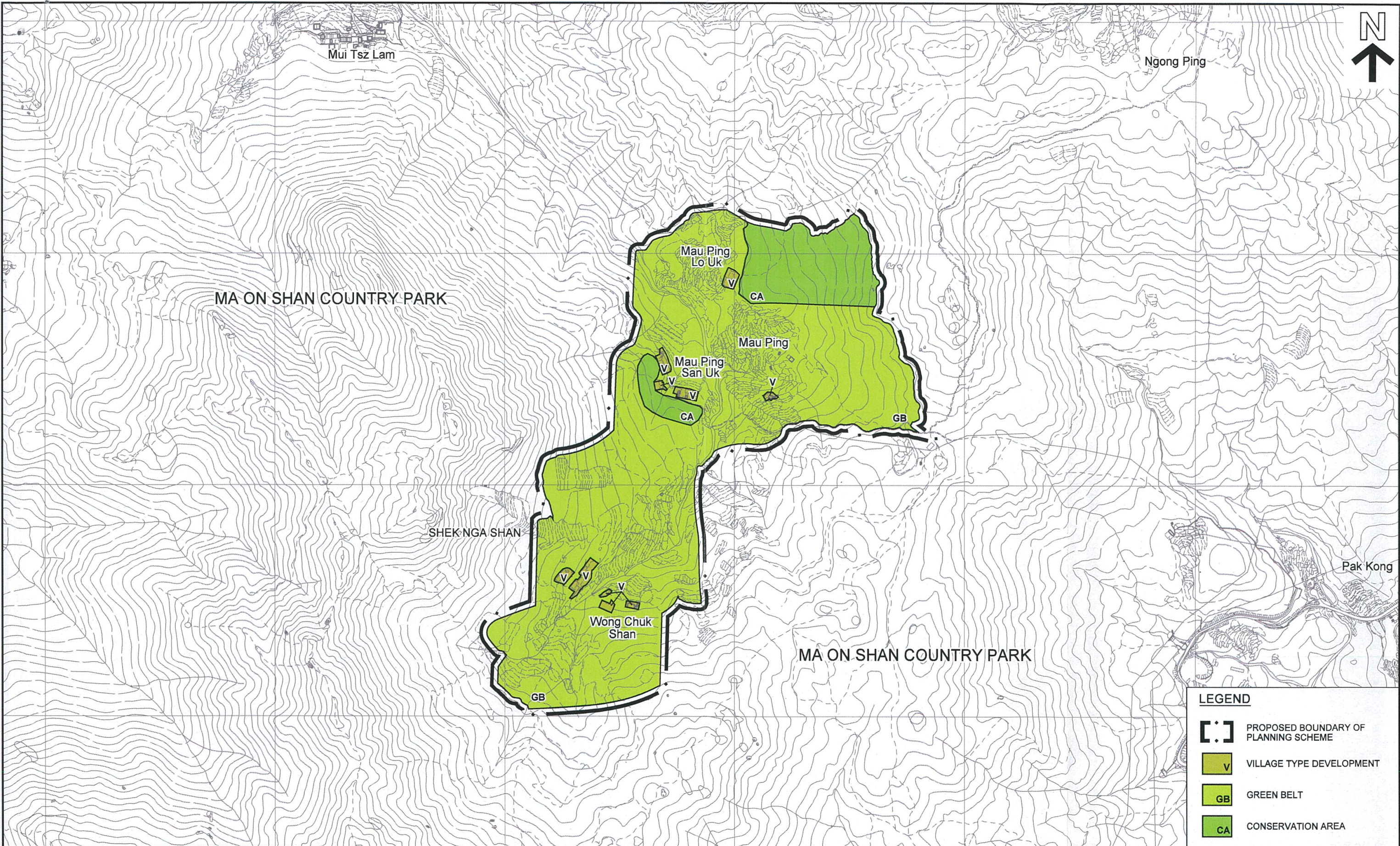
Members are invited to:

- (a) note the comments from and responses to the STDC, STRC, SKRC, and the environmental concern groups on the draft Mau Ping OZP No. S/ST-MP/B, and the views from the IIRs of MPNV and WCSNV on the proposed "CA" zone;
- (b) agree that the draft Mau Ping OZP (to be renumbered as S/ST-MP/1 upon gazetting) and its Notes (**Annexes I and II**) are suitable for exhibition for public inspection under section 5 of the Ordinance;
- (c) adopt the Explanatory Statement (**Annex III**) as an expression of the planning intentions and objectives of the Board for various land use zonings of the draft Mau Ping OZP No. S/ST-MP/C; and
- (d) agree that the Explanatory Statement is suitable for exhibition for public inspection together with the draft OZP and issued under the name of the Board.

8. Attachments

Plan 1	Proposed Land Uses of the Draft Mau Ping OZP No. S/ST-MP/B
Plan 2	Aerial Photos of Mau Ping
Plan 3	Village 'Environs' and Existing Physical Features in Mau Ping
Plan 4	Land Ownership and Village 'Environs' in Mau Ping
Plan 5	Comparison between the Draft Mau Ping Outline Zoning Plan No. S/ST-MP/B and No. S/ST-MP/C
Annex I	Draft Mau Ping OZP No. S/ST-MP/C
Annex II	Notes of the Draft Mau Ping OZP No. S/ST-MP/C
Annex III	Explanatory Statement of the Draft Mau Ping OZP No. S/ST-MP/C
Annex IV	Extract of Minutes of the Town Planning Board Meeting held on 11.4.2014
Annex V	TPB Paper No. 9596 (considered by the Town Planning Board on 11.4.2014)
Annex VI	Submission from Kadoorie Farm and Botanic Garden Corporation dated 23.6.2014
Annex VII	Submission from WWF-Hong Kong dated 10.7.2014

**PLANNING DEPARTMENT
AUGUST 2014**



LEGEND	
	PROPOSED BOUNDARY OF PLANNING SCHEME
	VILLAGE TYPE DEVELOPMENT
	GREEN BELT
	CONSERVATION AREA

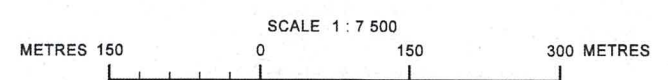
PROPOSED LAND USES

DRAFT MAU PING OUTLINE ZONING PLAN No. S/ST-MP/B

PLANNING DEPARTMENT

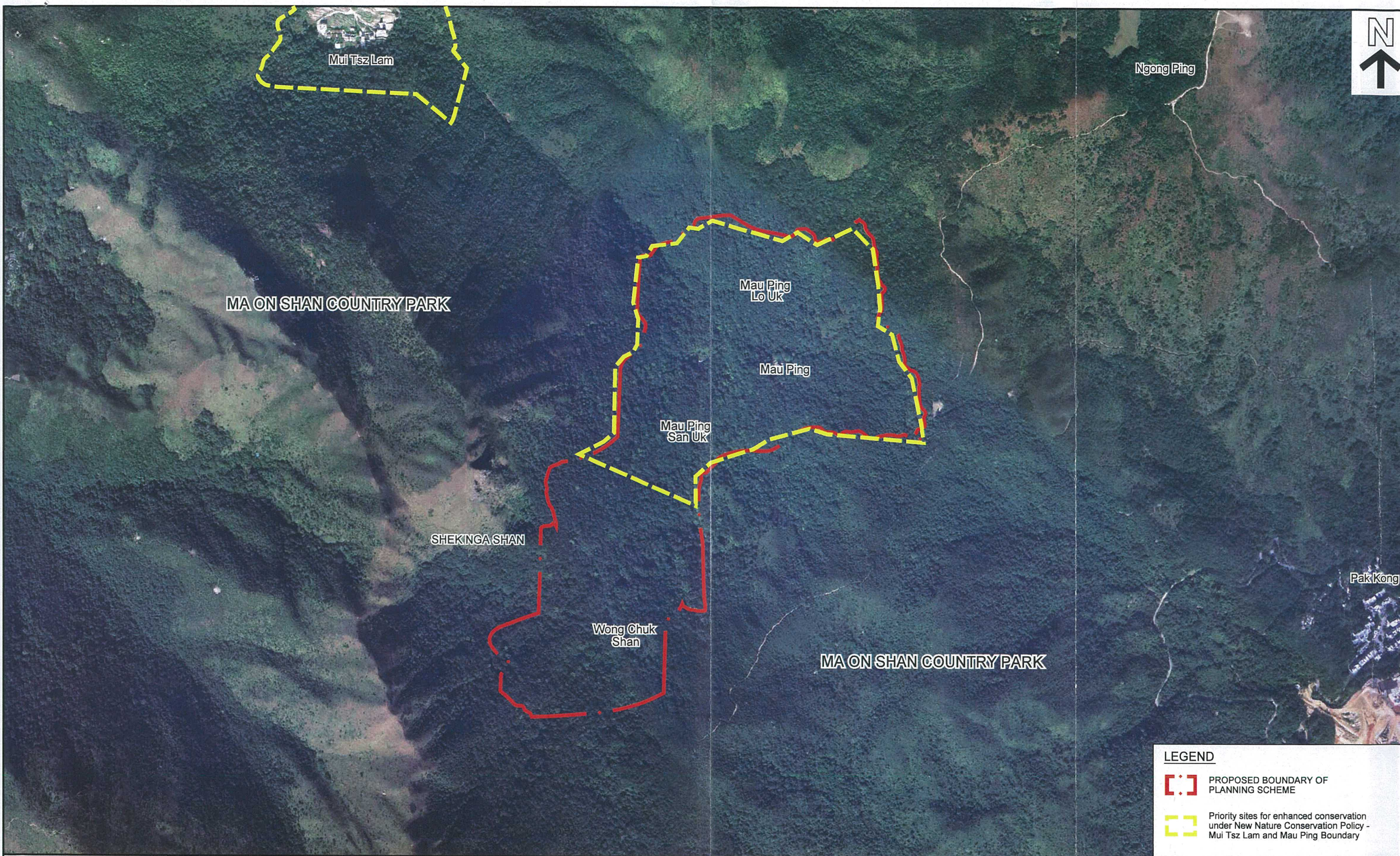


EXTRACT PLAN PREPARED ON 9.7.2014
BASED ON SURVEY SHEETS No. 7-SE-8D,9C/D,10C/D,
13B/D,14A/B/C/D,15A/B/C/D,18B,19A/B AND 20A



REFERENCE No.
M/CPE/MP/14/5

PLAN
1



AERIAL PHOTOS

MAU PING

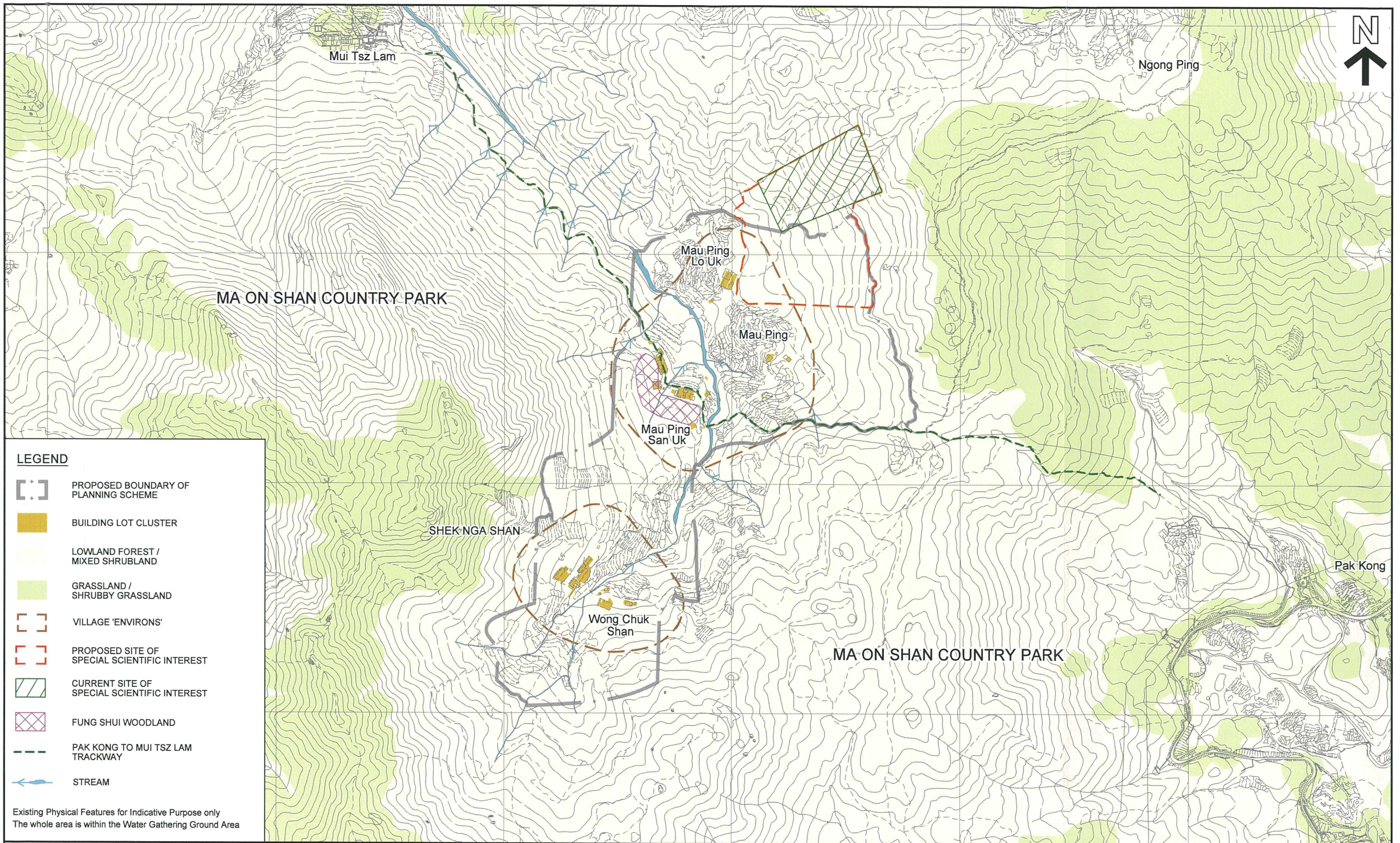
PLANNING DEPARTMENT



EXTRACT PLAN PREPARED ON 8.7.2014
 BASED ON AERIAL PHOTOS No.
 CW101318-20, CW101709 AND CW101711-12
 TAKEN ON 7.1.2013 BY LANDS DEPARTMENT

REFERENCE No.
 M/CPE/MP/14/5

PLAN
 2



LEGEND

- PROPOSED BOUNDARY OF PLANNING SCHEME
- BUILDING LOT CLUSTER
- LOWLAND FOREST / MIXED SHRUBLAND
- GRASSLAND / SHRUBBY GRASSLAND
- VILLAGE 'ENVIRONS'
- PROPOSED SITE OF SPECIAL SCIENTIFIC INTEREST
- CURRENT SITE OF SPECIAL SCIENTIFIC INTEREST
- FUNG SHUI WOODLAND
- PAK KONG TO MUI TSZ LAM TRACKWAY
- STREAM

Existing Physical Features for Indicative Purpose only
The whole area is within the Water Gathering Ground Area

VILLAGE 'ENVIRONS' AND EXISTING PHYSICAL FEATURES

MAU PING



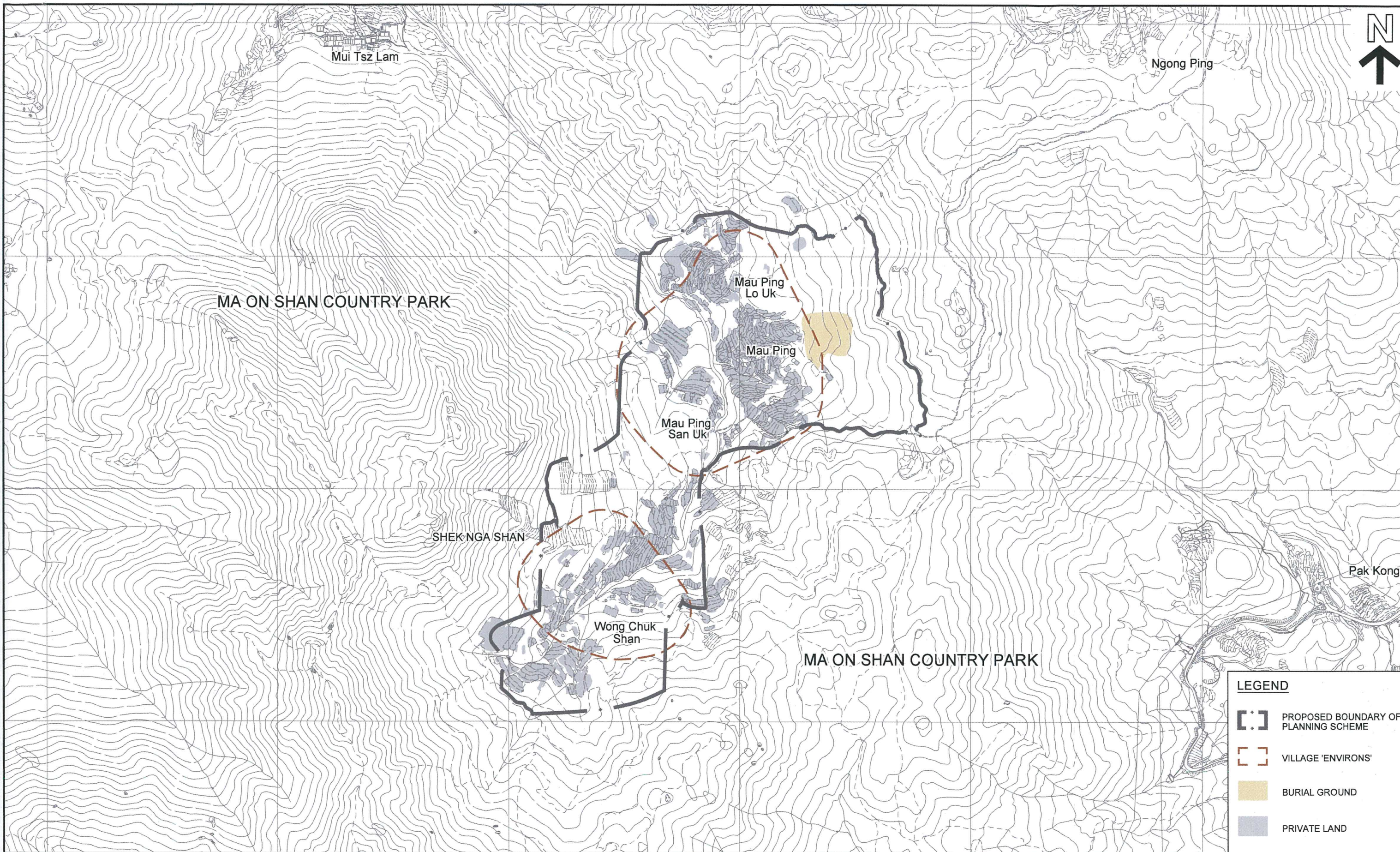
EXTRACT PLAN PREPARED ON 11.7.2014
BASED ON SURVEY SHEETS No. 7-SE-8D,9C/D,10C/D,
13B/D,14A/B/C/D,15A/B/C/D,18B,19A/B AND 20A





PLANNING DEPARTMENT



REFERENCE No.
M/CPE/MP/14/5

PLAN
3



- LEGEND**
-  PROPOSED BOUNDARY OF PLANNING SCHEME
 -  VILLAGE 'ENVIRONS'
 -  BURIAL GROUND
 -  PRIVATE LAND

LAND OWNERSHIP AND VILLAGE 'ENVIRONS'

MAU PING

PLANNING DEPARTMENT

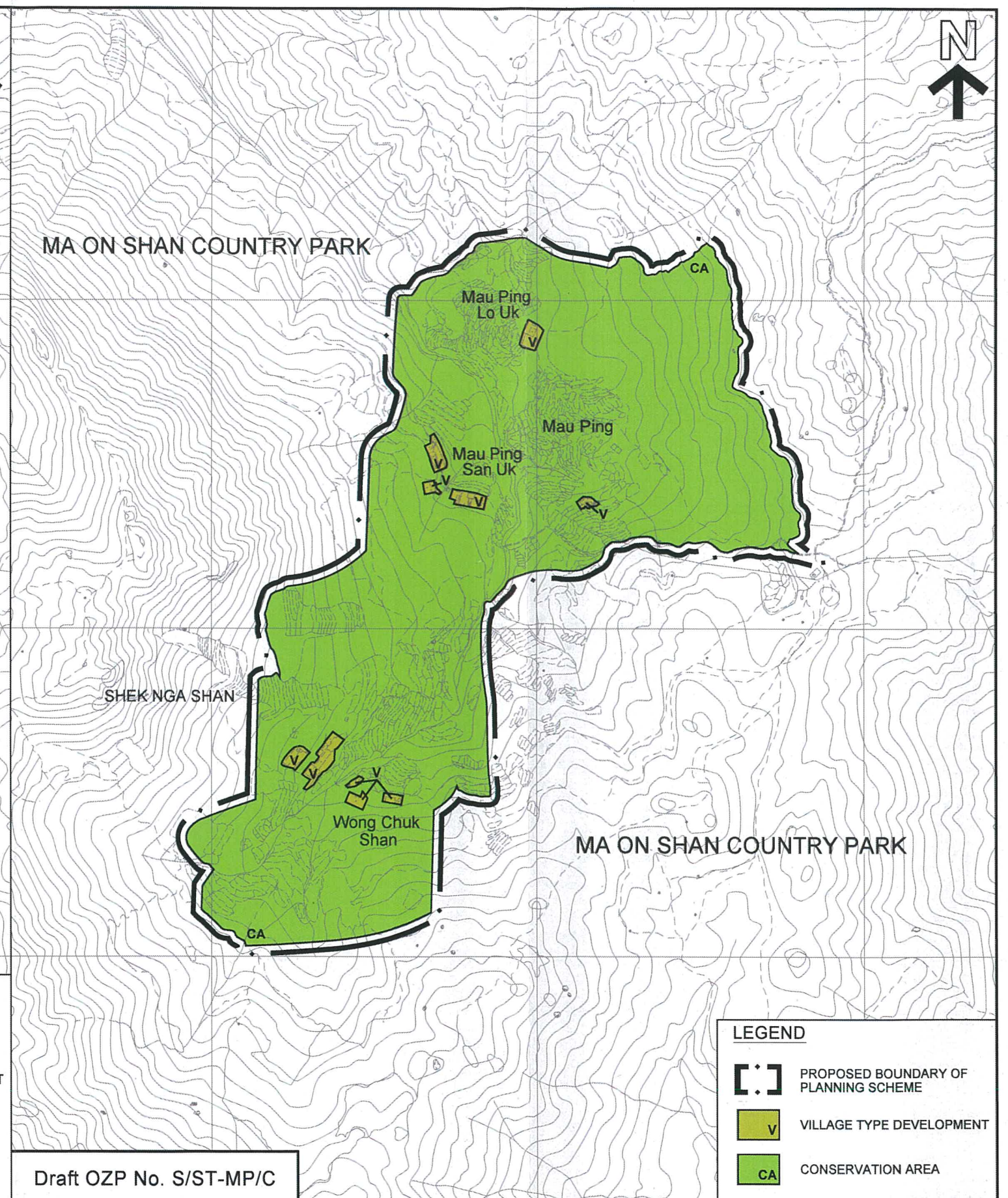
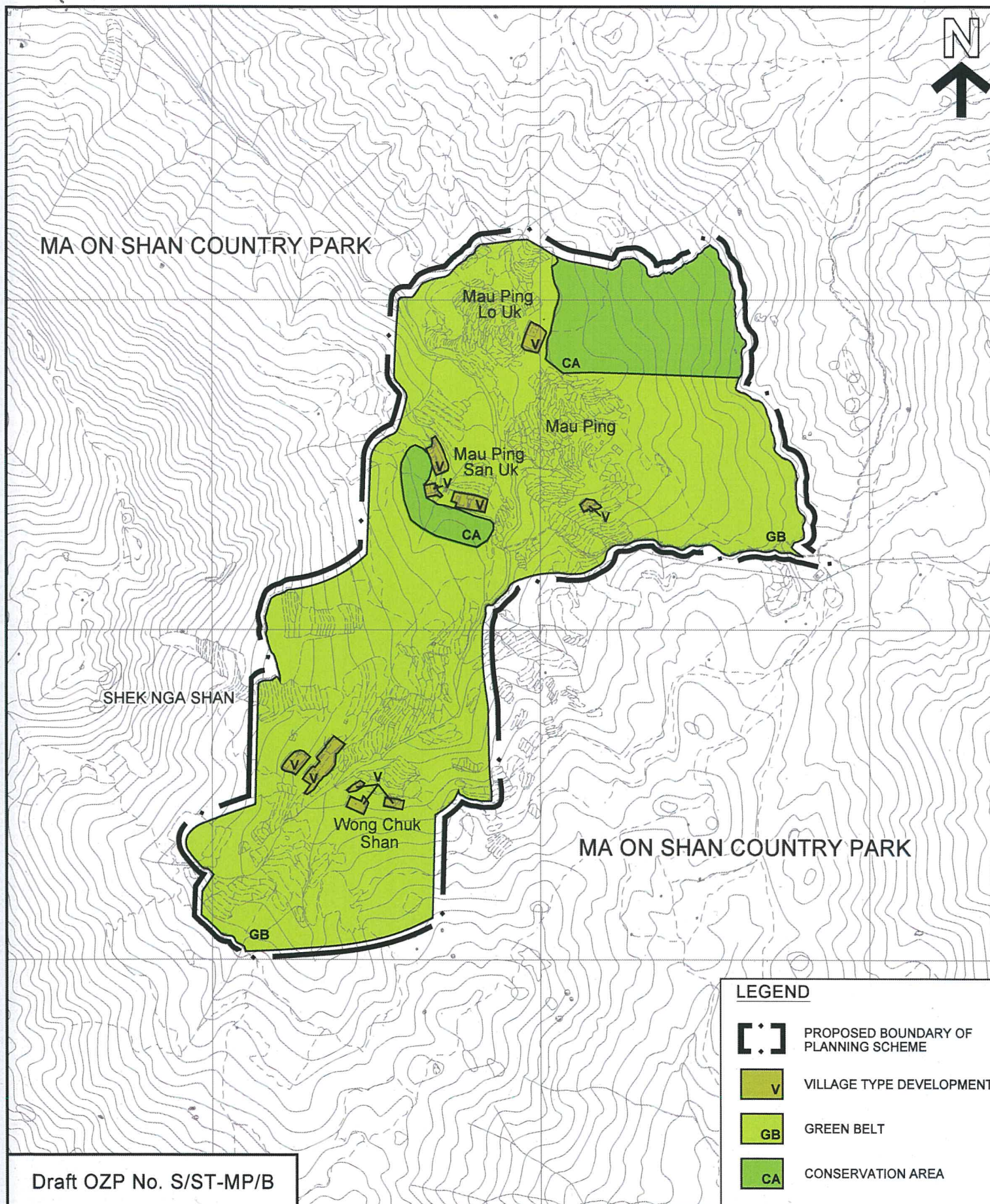


EXTRACT PLAN PREPARED ON 8.7.2014
 BASED ON SURVEY SHEETS No. 7-SE-8D,9C/D,10C/D,
 13B/D,14A/B/C/D,15A/B/C/D,18B,19A/B AND 20A



REFERENCE No.
 M/CPE/MP/14/5

PLAN
 4



PROPOSED LAND USES

**COMPARISON BETWEEN THE DRAFT MAU PING
OUTLINE ZONING PLAN No. S/ST-MP/B AND No. S/ST-MP/C**

SCALE 1 : 7 500

METRES 150 0 150 300 METRES

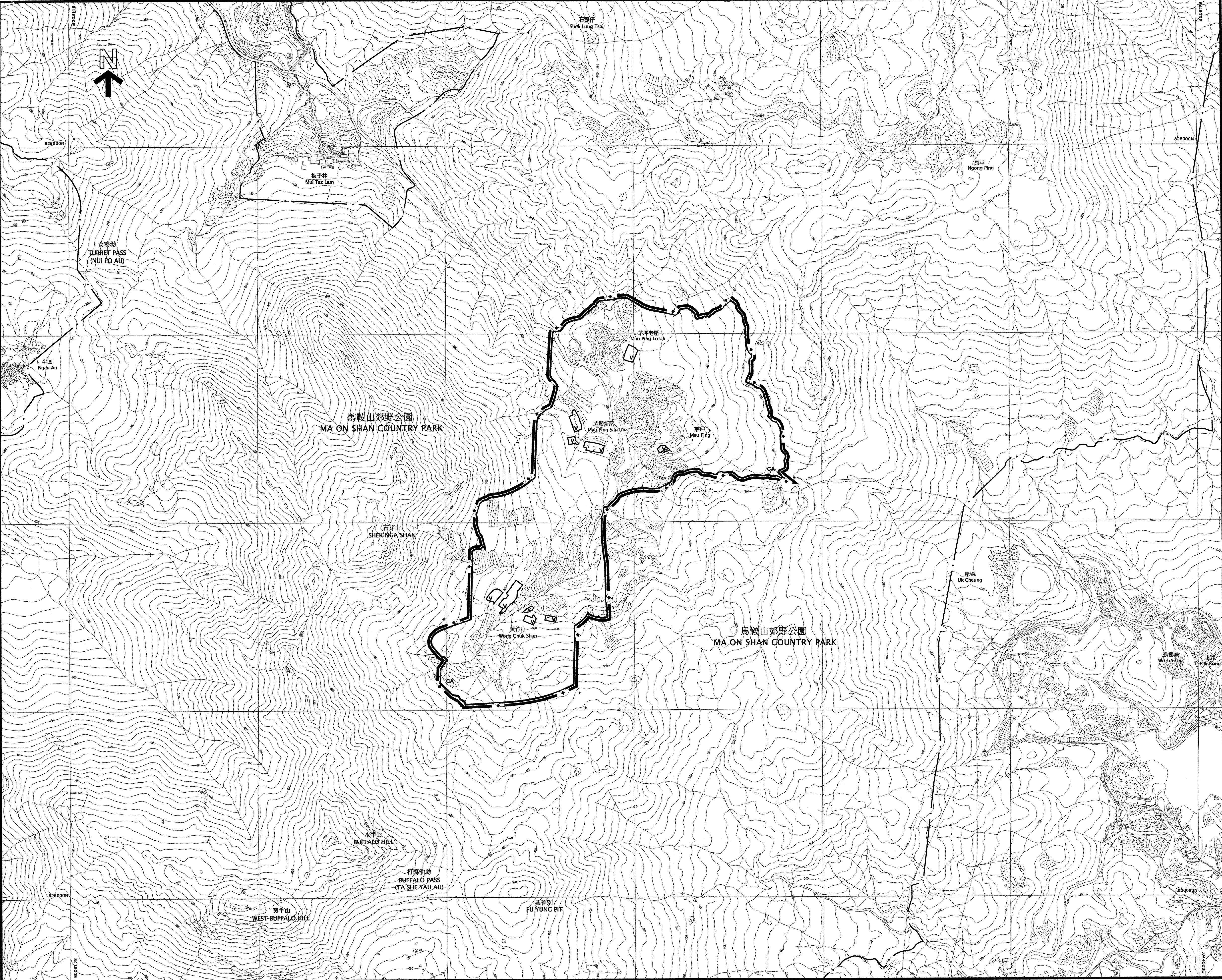
PLANNING DEPARTMENT



REFERENCE No.
M/CPE/MP/14/5

PLAN
5

EXTRACT PLAN PREPARED ON 21.7.2014
BASED ON SURVEY SHEETS No. 7-SE-8D, 9C/D, 10C/D,
13B/D, 14A/B/C/D, 15A/B/C/D, 18B, 19A/B AND 20A



圖例
NOTATION

ZONES

VILLAGE TYPE DEVELOPMENT	V
CONSERVATION AREA	CA

MISCELLANEOUS

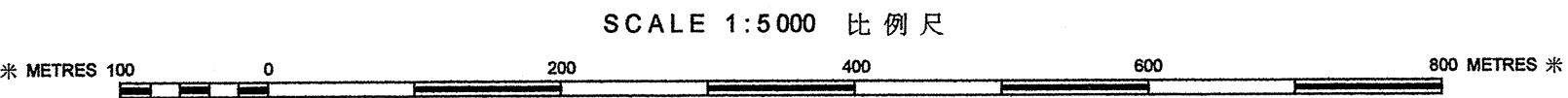
BOUNDARY OF PLANNING SCHEME	— • —
BOUNDARY OF COUNTRY PARK / SPECIAL AREA	— . —

土地用途及面積一覽表
SCHEDULE OF USES AND AREAS

USES	大約面積及百分比 APPROXIMATE AREA & %			用途
	公頃 HECTARES	%	百分比	
VILLAGE TYPE DEVELOPMENT	0.81	1.79		鄉村式發展
CONSERVATION AREA	44.45	98.21		自然保育區
TOTAL PLANNING SCHEME AREA	45.26	100.00		規劃範圍總面積

夾附的《註釋》屬這份圖則的一部分
THE ATTACHED NOTES ALSO FORM PART OF THIS PLAN

香港城市規劃委員會依據城市規劃條例擬備的茅坪分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
MAU PING - OUTLINE ZONING PLAN



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



圖則編號
PLAN No. S/ST-MP/C

**DRAFT MAU PING
OUTLINE ZONING PLAN NO. S/ST-MP/C**

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

NOTES

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

- (1) These Notes show the uses or developments on land falling within the boundaries of the Plan which are always permitted and which may be permitted by the Town Planning Board, with or without conditions, on application. Where permission from the Town Planning Board for a use or development is required, the application for such permission should be made in a prescribed form. The application shall be addressed to the Secretary of the Town Planning Board, from whom the prescribed application form may be obtained.
- (2) Any use or development which is always permitted or may be permitted in accordance with these Notes must also conform to any other relevant legislation, the conditions of the Government lease concerned, and any other Government requirements, as may be applicable.
- (3) No action is required to make the use of any land or building which was in existence immediately before the first publication in the Gazette of the notice of the draft development permission area plan conform to this Plan, provided such use has continued since it came into existence. Any material change of such use or any other development (except minor alteration and/or modification to the development of the land or building in respect of such use which is always permitted) must be always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board.
- (4) A use or development of any land or building permitted under an earlier draft or approved plan including development permission area plan for the area and effected or undertaken during the effective period of that plan is always permitted under this Plan. Any material change of such use or any other development (except minor alteration and/or modification to the completed development of the land or building which is always permitted) must be always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board.
- (5) Except to the extent that paragraph (3) or (4) applies, any use or development falling within the boundaries of the Plan and also within the boundaries of the draft development permission area plan, unless always permitted in terms of the Plan, shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without permission from the Town Planning Board.
- (6) Except as otherwise specified by the Town Planning Board, when a use or material change of use is effected or a development or redevelopment is undertaken, as always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board, all permissions granted by the Town Planning Board in respect of the site of the use or material change of use or development or redevelopment shall lapse.

- (7) Alignment of roads and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.
- (8) The following uses or developments are always permitted on land falling within the boundaries of the Plan except (a) where the uses or developments are specified in Column 2 of the Notes of individual zones or (b) as provided in paragraph (9) in relation to areas zoned “Conservation Area”:
- (a) maintenance, repair or demolition of a building;
 - (b) provision, maintenance or repair of plant nursery, amenity planting, open space, rain shelter, refreshment kiosk, footpath, bus/public light bus stop or lay-by, cycle track, taxi rank, public utility pipeline, electricity mast, lamp pole, telephone booth, telecommunications radio base station, automatic teller machine and shrine;
 - (c) maintenance or repair of road, watercourse, nullah, sewer and drain;
 - (d) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities and waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government;
 - (e) rebuilding of New Territories Exempted House;
 - (f) replacement of an existing domestic building, i.e. a domestic building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, by a New Territories Exempted House; and
 - (g) provision, maintenance or repair of a grave of an indigenous New Territories villager or a locally based fisherman and his family members for which permission has been obtained from Government.
- (9) In areas zoned “Conservation Area”,
- (a) the following uses or developments are always permitted:
 - (i) maintenance or repair of plant nursery, amenity planting, sitting out area, rain shelter, refreshment kiosk, road, watercourse, nullah, public utility pipeline, electricity mast, lamp pole, telephone booth, shrine and grave;
 - (ii) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities, waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government; and
 - (iii) provision of amenity planting by Government; and

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

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

- (10) In any area shown as 'Road', all uses or developments except those specified in paragraphs (8)(a) to (8)(d) and (8)(g) above and those specified below require permission from the Town Planning Board:

road and on-street vehicle park.

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

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

- (b) Except as otherwise provided in paragraph (11)(a), and subject to temporary uses for open storage and port back-up purposes which are prohibited in areas zoned "Conservation Area", temporary use or development of any land or building not exceeding a period of three years requires permission from the Town Planning Board. Notwithstanding that the use or development is not provided for in terms of the Plan, the Town Planning Board may grant permission, with or without conditions, for a maximum period of three years, or refuse to grant permission.

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

- (12) Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted uses and developments within the same zone are always permitted and no separate permission is required.

- (13) In these Notes, unless the context otherwise requires or unless as expressly provided below, terms used in the Notes shall have the meanings as assigned under section 1A of the Town Planning Ordinance.

"Existing building" means a building, including a structure, which is physically existing and is in compliance with any relevant legislation and the conditions of the Government lease concerned.

"New Territories Exempted House" means a domestic building other than a guesthouse or a hotel; or a building primarily used for habitation, other than a guesthouse or a hotel, the ground floor of which may be used as 'Shop and Services' or 'Eating Place', the building works in respect of which are exempted by a certificate of exemption under Part III of the Buildings Ordinance (Application to the New Territories) Ordinance (Cap. 121).

DRAFT MAU PING
OUTLINE ZONING PLAN NO. S/ST-MP/C

Schedule of Uses

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VILLAGE TYPE DEVELOPMENT

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use	Burial Ground
Government Use (Police Reporting Centre, Post Office only)	Eating Place
House (New Territories Exempted House only)	Flat
On-Farm Domestic Structure	Government Refuse Collection Point
Religious Institution (Ancestral Hall only)	Government Use (not elsewhere specified)#
Rural Committee/Village Office	Hotel (Holiday House only)
	House (not elsewhere specified)
	Institutional Use (not elsewhere specified)#
	Market
	Place of Recreation, Sports or Culture
	Private Club
	Public Clinic
	Public Convenience
	Public Transport Terminus or Station
	Public Utility Installation #
	Public Vehicle Park (excluding container vehicle)
	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 designate both existing recognized villages and areas of land considered suitable for village expansion. 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 any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

CONSERVATION AREA

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

Planning Intention

This zoning is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development.

There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.

(Please see next page)

CONSERVATION AREA (Cont'd)

Remarks

- (a) No redevelopment, including alteration and/or modification, of an existing house shall result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan.
- (b) Any diversion of streams, filling of land/pond or excavation of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes, shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

DRAFT MAU PING

OUTLINE ZONING PLAN NO. S/ST-MP/C

EXPLANATORY STATEMENT

**DRAFT MAU PING
OUTLINE ZONING PLAN NO. S/ST-MP/C**

EXPLANATORY STATEMENT

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**DRAFT MAU PING
OUTLINE ZONING PLAN NO. S/ST-MP/C**

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

EXPLANATORY STATEMENT

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

1. INTRODUCTION

This Explanatory Statement is intended to assist an understanding of the draft Mau Ping Outline Zoning Plan (OZP) No. S/ST-MP/C. It reflects the planning intention and objectives of the Town Planning Board (the Board) for various land-use zonings of 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 Development Permission Area (DPA) Plan for the Mau Ping area.
- 2.2 On 26 August 2011, the draft Mau Ping DPA Plan No. DPA/ST-MP/1 was exhibited for public inspection under section 5 of the Ordinance. During the two-month exhibition period, 6 representations were received. On 18 November 2011, the Board published the representations for public comment for three weeks and no comment was received. After giving consideration to the representations on 9 March 2012, the Board decided not to propose any amendment to the draft DPA plan to meet the representations.
- 2.3 On 26 June 2012, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Mau Ping DPA Plan, which was subsequently renumbered as DPA/ST-MP/2. On 13 July 2012, the approved Mau Ping DPA Plan No. DPA/ST-MP/2 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.4 On 12 March 2014, under the power delegated by the Chief Executive, the Secretary for Development directed the Board, under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the Mau Ping area.
- 2.5 On XXXX 2014, the draft Mau Ping OZP No. S/ST-MP/1 (the Plan) was exhibited for public inspection under section 5 of the Ordinance.

3. OBJECT OF THE PLAN

- 3.1 The object of the Plan is to indicate the broad land-use zonings for the area of Mau Ping so that development and redevelopment within the area of Mau Ping can be put under statutory planning control. It also provides the planning framework for preparing more detailed non-statutory plans which form the basis for public works planning and site reservation for various uses.
- 3.2 The Plan is to illustrate the broad principles of development and planning control only. It is a small-scale plan and the road alignments and boundaries between the land-use zones may be subject to minor alterations as detailed planning proceeds.

4. NOTES OF THE PLAN

- 4.1 Attached to the Plan is a set of Notes which shows the types of uses or developments which are always permitted within the Planning Scheme Area and in particular zones 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 PLANNING SCHEME AREA

- 5.1 The Planning Scheme Area (the Area), covering a total area of about 45 hectares, is an upland valley surrounded by the Ma On Shan Country Park, about mid-way between Sai Kung area to the southeast and the Ma On Shan area to the northwest. It straddles the Ma On Shan mountain range at about 300m above sea level, with diverse and uneven terrains including a stream-flowing valley, slopes, ridges and spurs. Most of the Area is covered by woodlands, with some clusters of house ruins and abandoned agricultural lands along the valley. The boundary of the Area is shown by a heavy broken line on the Plan.
- 5.2 Being remote and up in the hills, it is not served by any vehicular access, and is only accessible by footpaths. Though not being part of the Ma On Shan Country Park, the Area forms part of the wider natural system of the countryside. A pristine stream flows through the Area from south to north down to Mui Tsz Lam, and being sheltered from extreme weathers and hydrological conditions, it is covered with luxuriant vegetation. The native woodland is known to support populations of rare plant and fauna species of conservation interests.

- 5.3 The Area is part of the Mui Tsz Lam and Mau Ping Priority Site for Enhanced Conservation under the New Nature Conservation Policy. Besides, the Mau Ping Site of Special Scientific Interest (SSSI), listed for its floristic importance, is in close proximity to the north of the Area. The Pak Kong - Mui Tsz Lam Trackway, which is a site of archaeological interest, traverses the Area connecting Ma On Shan and Sai Kung.
- 5.4 Two recognized villages, namely Mau Ping and Wong Chuk Shan, and mostly in ruin, are located in the middle and southern parts of the Area. A burial ground is located on the northeastern side.

6. POPULATION

According to the 2011 Census, there was no population in the Area. It is expected that the total planned population of the Area would be around 80 persons mainly attributed to the village expansion.

7. OPPORTUNITIES AND CONSTRAINTS

7.1 Opportunities

7.1.1 Conservation and Natural Landscape

The natural habitats in the Area include undisturbed terrestrial, hilly habitats, *fung shui* wood, secondary forest, shrubland, and stream. Many trees are large, mature and in good form, and dense woodland plants and foliage spread underneath, having regenerated as mature secondary woodland. These habitats support a large number of flora and fauna in the Area which are ecologically-linked with the wide stretch of vegetation in the surrounding Ma On Shan Country Park. Protected and notable plant species have been recorded in these habitats, and a number of animal species of conservation concern have also been recorded in the Area or in its vicinity. The Area is a part of the Mui Tsz Lam and Mau Ping Priority Site for Enhanced Conservation under the New Nature Conservation Policy. The Mau Ping SSSI, designated in 1979 for the protection of the rare plant species *Camellia crapnelliana* (紅皮糙果茶), is near the Area to the north. The *Camellia crapnelliana* has now spread south and can be found in a northern part of the Area. The landscape and amenity value of the Area is categorized as high due to its expansive woodland landscape which is visually coherent with the surrounding Ma On Shan Country Park.

7.1.2 Tourism Potential

The Pak Kong - Mui Tsz Lam Trackway, which is a site of archaeological interest identified by the Antiques and Monuments Office (AMO), traverses the Area, connecting the Ma On Shan area with Sai Kung area. The trackway is frequented by visitors and bird watchers.

7.2 Constraints

7.2.1 Transportation

At present, the Area is not served by any vehicular access but is only accessible via footpath such as the Pak Kong – Mui Tsz Lam Trackway, from Pak Kong in Sai Kung or Mui Tsz Lam in Ma On Shan. The MacLehose Trail runs close to and alongside the Area, to its southeast side.

7.2.2 Geotechnical

The subject area is located below steep natural hillside and may be affected by potential natural terrain hazards. As such, natural terrain hazard study and suitable hazard mitigation measures, if found necessary by the study, may be required for any proposed development at the subject area. Furthermore, there are existing man-made slopes and retaining walls falling within the concerned area. If such existing man-made slopes or retaining walls could affect or be affected by any future development, or if their failure could affect lives and property within or outside the project site, investigations and studies of these slopes or retaining walls shall be submitted to the Geotechnical Engineering Office of the Civil Engineering and Development Department for checking.

7.2.3 Ecological Significance

The native woodlands in the Area are natural in character and are ecologically-linked with the Ma On Shan Country Park, and protected plant species, as well as a number of animal species of conservation interest have been recorded in the Area. The natural stream with its tributaries running through the Area is of pristine water quality and supports a number of species of conservation interest. The Mau Ping Fung Shui Wood is in good condition and plant species of conservation interest, including *Aquilaria sinensis* (土沉香), *Casearia velutina* (毛嘉賜樹), *Ficus nervosa* (九丁樹), *Pavetta hongkongensis* (香港大沙葉), and *Stauntonia chinensis* (野木瓜) are found within it. The Mau Ping SSSI for the protection of the *Camellia crapnelliana* (紅皮糙果茶) is located just to the north of the Area. Trees of this species are now found also in a northern part of the Area, and the Agriculture, Fisheries and Conservation Department (AFCD) has proposed to extend the SSSI southward to include the new-growth area of the species. Other protected plant species in this northern part of the Area include *Neottopteris nidus* (巢蕨) and *Ailanthus fordii* (常綠臭椿). From the nature conservation perspective, any direct or indirect impacts to the water quality along the stream and to the ecological resources throughout the Area, and developments that may adversely affect the general rural character and the adjacent ecologically sensitive areas should be avoided.

7.2.4 Landscape Character

The landscape character of Mau Ping is similar with the adjacent Ma On Shan Country Park, which is categorized as of high landscape and amenity value. The woodland of the Area, which is rich and mature, extends throughout the hillside valley, covering even house ruins. The landscape character of Mau Ping and the adjacent Ma On Shan Country Park should be conserved, and in delineating the “Village Type Development” (“V”) zone, significant landscape resources should not be included and sufficient landscape buffer should be provided. Extensive development and associated road or utility infrastructure are considered not compatible with the surrounding landscape character. Furthermore, sufficient landscape buffer should be provided to the Mau Ping SSSI to preserve its landscape value.

7.2.5 Burial Ground

There is a large piece of permitted burial ground at the northeastern part of the Area. This has been in existence for many years, which is considered as an existing use and intended for burial places of deceased indigenous villagers in the Area. This area is not suitable for any development.

7.2.6 Sewerage

There is no existing sewer or planned public sewer for the Area, and since the area is located within upper indirect Water Gathering Ground (WGG), for any new developments within WGG, impact assessment should be conducted and submitted to the Water Authority to demonstrate that the new development will not result in loss of yield and material increase in pollution risks to the WGG. Besides, should the septic tank and soakaway system (STS) for sewage treatment and disposal be used, the design and construction of on-site STS system need to comply with relevant standards and regulations.

7.2.7 Site of Archaeological Interest and Cultural Heritage

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

7.2.8 Infrastructure and Utility Services

The Area is provided with electricity and telephone services. However, there are no potable water supply or drainage systems in the Area.

8. GENERAL PLANNING INTENTION

The Area forms an integral part of the natural system of the natural woodlands in the adjoining Ma On Shan Country Park that supports populations of rare plant and fauna species of conservation interests. The landscape and amenity value of the Area is high. The general planning intention of the Area is to protect its conservation and landscape value which complements the overall naturalness and the landscape beauty of the surrounding Ma On Shan Country Park. The planning intention is also to reflect the existing recognized villages of Mau Ping and Wong Chuk Shan.

9. LAND-USE ZONINGS

9.1 “Village Type Development” (“V”) : Total Area 0.81 ha

- 9.1.1 The planning intention of this zone is to designate both existing recognized villages and areas of land considered suitable for village expansion. 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 Board.
- 9.1.2 The boundaries of the “V” zone are drawn up having regard to the village ‘environs’, the number of outstanding Small House applications, Small House demand forecast, local topography and site constraints. Areas of difficult terrain, dense vegetation, stream courses and burial grounds have been avoided as far as possible. Mau Ping and Wong Chuk Shan are two recognized villages in the Area.
- 9.1.3 No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23 m) or the height of the building which was in existence on the date of first publication in the Gazette of the notice of the draft DPA plan, whichever is the greater. Application for minor relaxation of these restrictions would be considered by the Board based on individual merits, taking into account site constraints, innovative architectural design and planning merits that would enhance the amenity of the locality.
- 9.1.4 Some areas zoned “V” are overlooked by steep natural hillsides and may be affected by potential natural terrain landslide hazards. For future development in these areas, the developer(s) may be required to carry out natural terrain hazard study and provide suitable hazard mitigation measures, if found necessary, as part of the development.

- 9.1.5 As diversion of streams or filling of pond may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.
- 9.1.6 In accordance with the Environmental, Transport and Works Bureau's Technical Circular (Works) No. 5/2005, under the current administrative practice, development proposals/submissions that may affect natural streams/rivers, the approving/processing authorities at various stages of the development should consult and collate comments from the AFCD and relevant authorities and incorporate relevant comments/advice as conditions of approval wherever possible. Also, for the protection of the water quality of the watercourses in the Area, the design and construction of on-site STS system for any development proposals/submissions need to comply with relevant standards and regulations, such as Environmental Protection Department (EPD)'s Practice Note for Professional Person (ProPECC) 5/93. Accordingly, Lands Department when processing Small House grant and applications in close proximity to existing stream courses, should consult concerned departments including EPD, AFCD and Planning Department (PlanD) to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.
- 9.1.7 The Mau Ping area also falls entirely within the upper indirect WGG. For any village type development within the "V" zone, it should be demonstrated that the water quality within WGG will not be affected by the proposals. In general, the use of septic tank and soakaway systems for sewage treatment and disposal is considered as an unacceptable means for new village developments located in WGGs. There should be demonstrably effective means (such as proper waste water treatment plant) to ensure that the effluent water quality is acceptable to concerned government departments.

9.2 "Conservation Area" ("CA") : Total Area 44.45 ha

- 9.2.1 This zoning is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.

- 9.2.2 This zoning mainly covers the woodlands which are natural in character and are ecologically-linked with the Ma On Shan Country Park, and protected plant species, as well as a number of animal species of conservation interest have been recorded in the Area. The predominant habitat types of the “CA” zone are lowland forest and *fung shui* forest, with small patches of mixed shrubland, which are high value ecological habitats. The natural stream with its tributaries running through the Area is of pristine water quality and supports a number of species of conservation interest. The ecological and conservation importance of the Area is due largely to the native woodland harboring large populations of rare plants, such as *Euonymus tsoi* (長葉衛矛), *Xylosma longifolium* (長葉柞木), *Camellia crapnelliana* (紅皮糙果茶), *Tropidia curculigoides* (仙茅竹莖蘭) and *Litsea greenmaniana* (華南木薑子). In terms of fauna, some species of conservation interest are also recorded, for example, amphibians (*Amolops hongkongensis* (香港湍蛙), *Paa exilispinosa* (小棘蛙), *Paramesotriton hongkongensis* (香港瘰螈), *Xenophrys brachykolos* (短腳角蟾)), reptiles (*Bungarus multicinctus* (銀環蛇) and birds (*Accipiter trivirgatus* (鳳頭鷹), *Aquila fasciata* (白腹隼鷂), *Centropus bengalensis* (小鴉鵂), *Spilornis cheela* (蛇鵂)).
- 9.2.3 The Mau Ping *Fung Shui* Wood behind the Mau Ping San Uk falls within this zone. It is in good condition and plant species of conservation interest, including *Aquilaria sinensis* (土沉香), *Casearia velutina* (毛嘉賜樹), *Ficus nervosa* (九丁樹), *Pavetta hongkongensis* (香港大沙葉), and *Stauntonia chinensis* (野木瓜), are found in the *Fung Shui* Wood. A northern part of the Area, where the protected plant species including the *Camellia crapnelliana* (紅皮糙果茶), *Neottopteris nidus* (巢蕨) and *Ailanthus fordii* (常綠臭椿) are found, is also covered by “CA” zone. The AFCD has proposed to extend the boundary of the existing Mau Ping SSSI southward to also cover the northern part of the Area, so as to better protect the population of *Camellia crapnelliana* found in this area. The designation of the extended SSSI boundary is in progress.
- 9.2.4 New residential development is not permitted under this zone. Redevelopment of existing houses may be permitted on application to the Board. The redevelopment of existing houses shall not result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication of the DPA Plan.
- 9.2.5 Diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activities.

10. CULTURAL HERITAGE

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

11. COMMUNICATIONS

Transport Network

The Area is not served by any vehicular access but is only accessible via footpaths such as the Pak Kong – Mui Tsz Lam Trackway that leads up to the Area from Pak Kong in the Sai Kung area or Mui Tsz Lam in the Ma On Shan area. The MacLehose Trail runs close to and alongside the Area, to its southeast side.

12. UTILITY SERVICES

The Area is provided with electricity and telephone services. There are no potable water supply, sewerage and drainage systems in the Area. Also, as the area is located within WGG, the use of septic tank and soakaway system for sewage treatment and disposal is generally not an acceptable alternative for new Small House development located within WGG.

13. IMPLEMENTATION

- 13.1 The Plan provides a broad land-use framework for development control and implementation of planning proposals for the Area. More detailed plans will be prepared as a basis for public works planning and private developments.
- 13.2 At present there is no overall programme for the provision of infrastructure within the Area. The implementation process will be gradual and may stretch over a long period of time depending on the availability of resources. It will be undertaken through the participation of both the public and private sectors.
- 13.3 Notwithstanding the above, minor improvement works, e.g. access improvement and laying of utility services will be implemented through the Public Works Programme and the Rural Public Works as and when resources are available. Private developments will be effected principally through private sector initiatives to develop or redevelop their properties in accordance with the zoned uses indicated on the Plan, provided that their proposals meet Government requirements.

14. PLANNING CONTROL

- 14.1 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 within the same zone are always permitted and no separate permission is required.
- 14.2 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 impacts 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.
- 14.3 Planning applications to the Board will be assessed on individual merits. In general, the Board, in considering the planning applications, will take into account all relevant planning considerations including guidelines published by the Board. Guidelines published by the Board are available from the Board's website, the Secretariat of the Board and the Technical Services Division of the Planning Department. Application forms and Guidance Notes for planning applications can be downloaded from the Board's website, and are available from the Secretariat of the Board, and the Technical Services Division and the 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.
- 14.4 Any development, other than those referred to in paragraph 14.1 above or in conformity with this Plan or with the permission of the Board, undertaken or continued on land included in this 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 and excavation of land in the relevant zones on or after the date of the first publication in the Gazette of the Notice of the draft DPA Plan without permission from the Board may also be subject to enforcement proceedings. Moreover, there is a presumption against filling of ponds for temporary land uses/developments in conservation-related zonings, such as "CA".

Agenda Item 10

[Open Meeting]

Preliminary Consideration of the Draft Mau Ping Outline Zoning Plan No. S/ST-MP/B

(TPB Paper No. 9596)

[The meeting was conducted in Cantonese.]

134. The following representatives of the Planning Department (PlanD) were invited to the meeting at this point:

- | | | |
|-------------|---|--|
| Mr C.K. Soh | - | District Planning Officer/Shu Tin, Tai Po and North (DPO/STN), PlanD |
| Mr David Ng | - | Senior Town Planner/Shu Tin, Tai Po and North (STP/STN), PlanD |

135. The Chairman extended a welcome and invited DPO/STN to brief Members on the background of the Paper.

136. With the aid of a Powerpoint presentation, Mr C.K. Soh made the following main points as detailed in the Paper:

Need for the Outline Zoning Plan (OZP)

- (a) on 26.8.2011, the draft Mau Ping Development Permission Area (DPA) Plan No. DPA/ST-MP/1 was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). On 26.6.2012, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Mau Ping DPA Plan, which was subsequently renumbered as DPA/ST-MP/2. Pursuant to section 20(5) of

the Ordinance, the Mau Ping DPA Plan was effective only for a period of three years until 26.8.2014;

Planning Scheme Area

- (b) the Planning Scheme Area (the Area), covering a total area of about 45 ha, was an upland valley surrounded by the Ma On Shan Country Park, and about mid-way between Sai Kung to the southeast and Ma On Shan to the northwest. It straddled the Ma On Shan mountain range at about 300m above sea level, with diverse and uneven terrains including a stream-flowing valley, slopes, ridges and spurs. Most of the Area was covered by woodlands, with some clusters of house ruins and abandoned agricultural land along the valley;
- (c) the Area was not served by any vehicular access, and was only accessible by footpaths. A pristine natural stream, covered with luxuriant vegetation, flowed through the Area from south to north down to Mui Tsz Lam. The native woodland was known to support populations of rare plant and fauna species of conservation interest;

Existing Land Uses

- (d) the Area was part of the Mui Tsz Lam and Mau Ping Priority Site for Enhanced Conservation under the New Nature Conservation Policy, and was within the upper indirect water gathering ground (WGG). It was of significant ecological and conservation importance. The Mau Ping Site of Special Scientific Interest (SSSI) was near the Area to the north. The Pak Kong - Mui Tsz Lam Trackway, which was a site of archaeological interest, traversed the Area connecting Ma On Shan and Sai Kung;
- (e) most of the area in Mau Ping was naturally vegetated. About 75% of the Area was government land. Two recognised villages, namely Mau Ping and Wong Chuk Shan, mostly in ruins, were located in the southern and middle parts of the Area. A burial ground was located on the

north-eastern side of the Area;

Issues Arising from the Consideration of the DPA Plan

- (f) during the exhibition period of the draft DPA Plan, a total of six representations were received. The major land use proposals made by the representers were recapitulated below:
 - (i) green groups including Kadoorie Farm & Botanic Garden Corporation (KFBG) suggested that conservation zonings such as “Conservation Area” (“CA”) should be designated to reflect the ecological value of the Area, to prevent any potential impact of development on the water quality and hydrology of stream and its associated wildlife, and to protect the Mau Ping SSSI and its adjacent areas; and
 - (ii) the Sha Tin Rural Committee (STRC) stated that the “Village Type Development” (“V”) zones were too small and it was unfair to the indigenous villagers. They suggested that all private land be zoned “V” for Small House development;
- (g) on 9.3.2012, the Board decided not to propose any amendment to the draft DPA Plan to meet the representations. The DPA Plan was an interim plan which would be replaced by an OZP within three years. It was agreed that detailed land use zonings would be worked out during the OZP preparation stage taking account of the results of relevant assessments on various aspects including development need, conservation value, the environment, infrastructure, landscape character, etc. in consultation with relevant stakeholders;

Development Proposals Received in the Course of Preparation of the Plan

- (h) since the gazettal of the draft DPA Plan on 26.8.2011, no planning applications had been received;

- (i) in the course of the preparation of the draft OZP, a proposal from KFBG was received which suggested that the whole Area should be covered by “CA” zoning or even “Site of Special Scientific Interest” (“SSSI”), as the Area was predominantly covered with mature secondary woodland, plant diversity was high, and many rare plant species were found. The views conveyed in this proposal had been taken into account in the preparation of the OZP;

Land Use Planning Considerations

Natural Environment

- (j) the native woodlands in the Area were natural in character and were ecologically linked with the Ma On Shan Country Park, and protected plant species as well as a number of insect/animal species of conservation interest had been recorded in the Area. The natural stream with its tributaries running through the Area was of pristine water quality and supported a number of species of conservation interest. The ecological and conservation importance of the Area was due largely to the native woodland harbouring large populations of rare plants. The Mau Ping *Fung Shui* Wood was in good condition and plant species of conservation interest were found with the Area. Protected or notable plant species and a number of fauna species of conservation concern such as *Camellia crapnelliana* (紅皮糙果茶), *Neottopteris nidus* (巢蕨) and *Ailanthus fordii* (常綠臭椿) had been recorded in the Area;
- (k) the Mau Ping SSSI for the protection of the *Camellia crapnelliana* (紅皮糙果茶) was located just to the north of the Area. Trees of this species were now also found in the northern part of the Area, and AFCD was in the process of extending the SSSI to include the new-growth area of the species;
- (l) Mau Ping was of high landscape value and similar to the Ma On Shan Country Park. The rich and mature woodland extended throughout the

hillside and covered the house ruins. In delineating the “V” zone, the significant landscape resources of Mau Ping should be conserved and sufficient landscape buffer zone should be provided to the Mau Ping SSSI;

Land for Village Development

- (m) Mau Ping and Wong Chuk Shan were the two recognized villages in the Area. In 2011 Census, there was no population in the Area. The indigenous villagers of the two villages had moved to Sai Kung decades ago, and settled in Mau Ping New Village (MPNV) and Wong Chuk Shan New Village (WCSNV). The District Lands Officer/Sai Kung advised that MPNV and WCSNV had their own village ‘environs’ (‘VE’) and his Office had all along been processing Small House applications from the villagers. The District Lands Officer/Shau Tin advised that since Mau Ping and Wong Chuk Shan also had their own ‘VEs’, his office still had to process the Small House applications submitted by the villagers. There was, however, no outstanding Small House application for the two villages, and since no Village Representatives were elected in the two villages, there were no 10-year Small House demand forecast figures;
- (n) noting the requests and concerns of STRC and green groups as mentioned in paragraph 136(f) above, PlanD proceeded to analyse the site conditions of the area within ‘VE’ taking account of the ecological conditions of the Area, particularly those within the *fung shui* woodland and the northern part of the Area, the pristine stream, secondary woodlands and WGGs as well as natural terrain of the area;
- (o) as there were no Small House demand forecasts for the two villages, PlanD had adopted a prudent approach when drawing up the “V” zones taking into account factors such as the ‘VE’, the local topography, site constraints, the existing settlement patterns, the lot status (e.g., building lots), etc. within the Area. Areas of difficult terrain, dense vegetation, stream course and burial ground had been avoided as far as possible. Thus, about 0.81 ha of land mainly comprising the building lots within the

existing village settlements had been reserved for Small House development. Within the proposed “V” zones, about 0.28 ha of land was available (or equivalent to about 10 Small House sites);

Planning Intention

- (p) the general planning intention of the Area was to protect its high conservation and landscape value which complemented the overall naturalness and the landscape beauty of the surrounding Ma On Shan Country Park. The planning intention was also to reflect the existing recognized villages of Mau Ping and Wong Chuk Shan;

Land Use Zonings

“Village Type Development” (“V”): Total Area 0.81ha

- (q) the planning intention of this zone was to designate both existing recognized villages and areas of land considered suitable for village expansion. Land within this zone was primarily intended for development of Small Houses by indigenous villagers;
- (r) the boundaries of the “V” zone were drawn up having regard to the ‘VEs’ of Mau Ping and Wong Chuk Shan, the number of outstanding Small House applications (if any), Small House demand forecast (if any), local topography and site constraints;

“Conservation Area” (“CA”): Total Area 5.57 ha

- (s) this zoning was intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development. There was a general presumption against development in this zone;
- (t) the “CA” zoning covered the Mau Ping *Fung Shui* Wood behind the Mau Ping San Uk. It was in good condition and a number of species with

conservation interest had been recorded therein. The zoning also covered the northern part of the Area where the protected tree species *Camellia crapnelliana* (紅皮糙果茶) was found. AFCD had proposed to extend the boundary of the Mau Ping SSSI southward to also cover the northern part of the Area, so as to better protect the rare tree species;

“Green Belt” (“GB”): Total Area 38.88 ha

- (u) the planning intention of this zone was primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There was a general presumption against development within this zone;
- (v) the areas, comprising mainly natural vegetation, woodland, hillside shrubland and grassland, fallow agricultural land, natural streams, and a traditional burial ground, could serve as a buffer between any future Small House developments and the conservation area, as well as the Country Park. They would also help conserve the high landscape and rural setting of the Area;

Consultation

- (w) the draft OZP together with its Notes and Explanatory Statement (ES) and the Planning Report had been circulated to the relevant Government bureaux and departments for comments and the comments received had been incorporated as appropriate; and
- (x) subject to the agreement of the Board, the draft OZP No. S/ST-MP/B would be submitted to the Sha Tin District Council (STDC) and the STRC for consultation and their comments would be submitted to the Board for consideration prior to the publication of the draft OZP under section 5 of the Ordinance.

137. As the presentation from the representative of PlanD had been completed, the Chairman invited questions and comments from Members. Members had no question.

138. After deliberation, Members agreed that:

- (a) the draft Mau Ping OZP No. S/ST-MP/B (Appendix I of the Paper) together with its Notes (Appendix II of the Paper) were suitable for consultation with the STDC and STRC;
- (b) the ES (Appendix III of the Paper) was suitable to serve as an expression of the planning intentions and objectives of the Board for various land use zonings of the draft Mau Ping OZP No. S/ST-MP/B and the ES should be issued under the name of the Board; and
- (c) the ES was suitable for consultation with the STDC and the STRC together with the draft OZP.

TOWN PLANNING BOARD



TPB Paper No. 9596

For Consideration by
The Town Planning Board on 11.4.2014

PRELIMINARY CONSIDERATION OF THE
DRAFT MAU PING OUTLINE ZONING PLAN NO. S/ST-MP/B

**PRELIMINARY CONSIDERATION OF THE
DRAFT MAU PING OUTLINE ZONING PLAN NO. S/ST-MP/B**

1. Purpose

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

- (a) that the draft Mau Ping Outline Zoning Plan (OZP) No. S/ST-MP/B (the Plan) (**Appendix I**) together with its Notes (**Appendix II**) are suitable for consultation with the Sha Tin District Council (STDC) and Sha Tin Rural Committee (STRC); and
- (b) that the Explanatory Statement (ES) (**Appendix III**) is an expression of the planning intentions and objectives of the Town Planning Board (the Board) for the various land use zonings of the draft OZP and is suitable for consultation with the STDC and STRC together with the draft OZP.

2. Background

- 2.1 On 26.8.2011, the draft Mau Ping Development Permission Area (DPA) Plan No. DPA/ST-MP/1 was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). During the exhibition period, six representations were received. On 18.11.2011, the representations were published for three weeks for public comment and no comment was received. After giving consideration to the representations on 9.3.2012, the Board decided not to propose any amendment to the draft DPA plan to meet the representations.
- 2.2 On 26.6.2012, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Mau Ping DPA Plan, which was subsequently renumbered as DPA/ST-MP/2. On 13.7.2012, the approved Mau Ping DPA Plan No. DPA/ST-MP/2 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.3 Pursuant to section 20(5) of the Ordinance, the Mau Ping DPA Plan is effective for a period of three years until 26.8.2014. An OZP has to be prepared to replace the DPA Plan in order to maintain statutory planning control over the Area upon expiry of the DPA Plan.
- 2.4 On 12.3.2014, under the power delegated by the Chief Executive, the Secretary for Development directed the Board, under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the Area.

3. Planning Context

- 3.1 The Planning Scheme Area (the Area), covering a total area of about 45 ha, is an upland valley surrounded by the Ma On Shan Country Park, about mid-way between Sai Kung area to the southeast and the Ma On Shan area to the northwest. It straddles the Ma On Shan mountain range at about 300m above sea level, with diverse and uneven terrains including a stream-flowing valley, slopes, ridges and spurs. Most of the Area is covered by woodlands, with some clusters of house ruins and abandoned agricultural lands along the valley.
- 3.2 The Area is part of the Mui Tsz Lam and Mau Ping Priority Site for Enhanced Conservation under the New Nature Conservation Policy, and is within upper indirect water gathering grounds (WGGs). It is of significant ecological and conservation importance. The Mau Ping Site of Scientific Interest (SSSI), designated in 1979 for the protection of the rare tree species *Camellia crapnelliana* (紅皮糙果茶), is near the Area to the north, and the Agriculture, Fisheries and Conservation Department (AFCD) has proposed to extend the boundary of the SSSI to also cover a northern part of the Area, where *Camellia crapnelliana* has now also been found. In the Landscape Value Mapping of Hong Kong (2005), the Area is categorized as high in landscape value. The Pak Kong - Mui Tsz Lam Trackway, which is a site of archaeological interest, traverses the Area connecting Ma On Shan and Sai Kung (**Figure 8 of Appendix IV**).
- 3.3 Two recognised villages, namely Mau Ping and Wong Chuk Shan, and mostly in ruin, are located in the southern and middle parts of the Area. A burial ground is located on the northeastern side. The planning framework for the Area is to protect the natural and scenic character of the Area from uncontrolled development and avoid disturbances to areas with high landscape and ecological value. Details of the land use considerations are contained in the Planning Report on Mau Ping at **Appendix IV**. Some major issues in relation to the proposed zonings are stated below.

4. Issues Arising from Consideration of the DPA Plan

- 4.1 During the exhibition period of the draft DPA Plan, a total of six representations were received. The major land use proposals raised by the representers are recapitulated below:
- (a) Green groups including Kadoorie Farm & Botanic Garden Corporation (KFBG) suggested that conservation zonings such as "Conservation Area" ("CA") should be designated to reflect the ecological value of the Area, to prevent any potential impact from development on the water quality and hydrology of stream and its associated wildlife, and to protect the Mau Ping SSSI and its adjacent areas; and
 - (b) the STRC stated that the "Village Type Development" ("V") zones are too small and it was unfair to the indigenous villagers. They suggested that all private lands be zoned "V" for Small House development.

5. Town Planning Board's Decisions and Instructions

On 9.3.2012, the Board decided not to propose any amendment to the draft DPA Plan to meet the representations. It was agreed that detailed land use zonings would be worked out during the OZP preparation stage taking account of the results of relevant assessments on various aspects including development need, conservation value, the environment, infrastructure, landscape character, etc. in consultation with relevant stakeholders.

6. Object of the Plan

- 6.1 The object of the Plan is to indicate the broad land-use zonings for the area of Mau Ping so that development and redevelopment within the area of Mau Ping can be put under statutory planning control. It also provides the planning framework for preparing more detailed non-statutory plans which form the basis for public works planning and site reservation for various uses.
- 6.2 The Plan is to illustrate the broad principles of development and planning control only. It is a small-scale plan and the road alignments and boundaries between the land-use zones may be subject to minor alterations as detailed planning proceeds.

7. The Planning Scheme Area (Plans 1, 2 and 3)

- 7.1 The Planning Scheme Area (the Area), covering a total area of about 45 ha, is an upland valley surrounded by the Ma On Shan Country Park, about mid-way between Sai Kung area to the southeast and the Ma On Shan area to the northwest. It straddles the Ma On Shan mountain range at about 300m above sea level, with diverse and uneven terrains including a stream-flowing valley, slopes, ridges and spurs. Most of the Area is covered by woodlands, with some clusters of house ruins and abandoned agricultural lands along the valley.
- 7.2 Being remote and up in the hills, it is not served by any vehicular access, and is only accessible by footpaths. Though not being part of the Ma On Shan Country Park, the Area forms part of the wider natural system of the countryside. A pristine stream flows through the Area from south to north down to Mui Tsz Lam, and being sheltered from extreme weathers and hydrological conditions, it is covered with luxuriant vegetation. The native woodland is known to support populations of rare plant and fauna species of conservation interests.

8. Development Proposals Received in the Course of Preparation of the Plan

- 8.1 Since the gazettal of the draft DPA Plan on 26.8.2011, no planning applications have been received.
- 8.2 In the course of the preparation of the draft OZP, a proposal from the KFBG was

received (**Appendix V**), suggesting that the whole Area should be covered by "CA" zoning, or even SSSI, as the Area was predominantly covered with mature secondary woodland, plant diversity was high, and many rare plant species were found. Planning assessment of the proposal is in **Appendix VI**. The views conveyed in this proposal have been taken into account in the preparation of the OZP. Details are in paragraph 9 below.

9. Land Use Planning Considerations

Natural Environment

- 9.1 The native woodlands in the Area are natural in character and are ecologically-linked with the Ma On Shan Country Park, and protected plant species, as well as a number of animal species of conservation interest have been recorded in the Area. The natural stream with its tributaries running through the Area is of pristine water quality and supports a number of species of conservation interest. The ecological and conservation importance of the Area is due largely to the native woodland harboring large populations of rare plants, such as *Euonymus tsoi* (長葉衛矛), *Xylosma longifolium* (長葉柞木), *Camellia crapnelliana* (紅皮糙果茶), *Tropidia curculigoides* (仙茅竹莖蘭) and *Litsea greenmaniana* (華南木薑子). In terms of fauna, some species of conservation interest are also recorded, for example, amphibians (*Amolops hongkongensis* (香港湍蛙), *Paa exilispinosa* (小棘蛙), *Paramesotriton hongkongensis* (香港瘰螈), *Xenophrys brachykolos* (短腳角蟾)), reptiles (*Bungarus multicinctus* (銀環蛇)) and birds (*Accipiter trivirgatus* (鳳頭鷹), *Aquila fasciata* (白腹隼鷂), *Centropus bengalensis* (小鴉鵂), *Spilornis cheela* (蛇鵂)).
- 9.2 The Mau Ping Fung Shui Wood is in good condition and plant species of conservation interest, including *Aquilaria sinensis* (土沉香), *Casearia velutina* (毛嘉賜樹), *Ficus nervosa* (九丁樹), *Pavetta hongkongensis* (香港大沙葉), and *Stauntonia chinensis* (野木瓜) are found within it. The Mau Ping SSSI for the protection of the *Camellia crapnelliana* (紅皮糙果茶) is located just to the north of the Area. Trees of this species are now also found also in a northern part of the Area, and AFCD has proposed to extend the SSSI southward to include the new-growth area of the species¹. Other protected tree species in this northern part of the Area include *Neottopteris nidus* (巢蕨) and *Ailanthus fordii* (常綠臭椿), are found in this Area.
- 9.3 From the nature conservation perspective, any direct or indirect impacts to the water quality along the stream and to the ecological resources throughout the Area, and developments that may adversely affect the general rural character and the adjacent ecologically sensitive areas should be avoided. Therefore, the Fung Shui Wood as well as the northern part of the Area where *Camellia crapnelliana* (紅皮糙果茶) are found are proposed to be zoned "CA". The secondary woodland and stream are zoned "Green Belt" ("GB") to protect the ecologically sensitive areas and the rural setting of the Area.

¹ Designation of the new and extended boundary of the Mau Ping SSSI is in progress.

Land for Village Development

- 9.4 In 2011 Census, there was no population in the Area. District Lands Officer/Shatin (DLO/ST) and District Lands Officer/Sai Kung (DLO/SK) advise that the indigenous villagers of Mau Ping Village and Wong Chuk Shan Village have moved to Sai Kung decades ago, and settled in the Mau Ping New Village (MPNV) and Wong Chuk Shan New Village (WCSNV). DLO/SK advises that MPNV and WCSNV have their own village environs drawn for Small House developments, and his Office has all along been processing Small House applications from the villagers. Nevertheless, DLO/ST advises that Mau Ping and Wong Chuk Shan, the original villages in the Area, have their own village environs drawn for Small House development, and if the villagers apply for Small House grants in the original villages, DLO/ST still has to process the applications. There is, however, no outstanding Small House application in the original villages, and since no Village Representatives (VRs) were elected in the two villages in the VR Election of 2011, there are no 10-year Small House demand forecast figures.
- 9.5 Noting the requests and concerns of STRC and green groups as mentioned in Para. 4.1 above, Planning Department (PlanD) proceeds to analyse the site conditions of the area within village 'environ' ('VE') taking account of the ecological conditions of the Area, particularly those within the *fung shui* woodland and the northern part of the Area, the pristine stream; secondary woodlands and WGGs as well as natural terrain of the area.
- 9.6 Noting that there is no Small House demand forecasts for the two villages, PlanD has adopted a prudent approach considering factors such as the 'VE', the local topography, site constraints, the existing settlement patterns, the lot status (e.g., building lots), etc. when drawing up the "V" zones within the Area. Also, areas of difficult terrain, dense vegetation, stream courses and burial grounds have been avoided as far as possible. Thus, about 0.81 ha of land mainly comprising the building lots within the existing village settlements have been reserved for Small House development (**Figure 11 of Appendix IV**). Within the proposed "V" zones, about 0.28 ha of land is available (or equivalent to about 11 Small House sites²) (**Table 1**).

² Available land (0.28 ha) x 40 = available Small House sites (11)

Village	Small House Demand Figure in 2010		Small House Demand Figure in 2013		'VE' Area (ha) ('VE' Area in OZP)	'V' zone on draft OZP (ha)	Required land to meet new demand (ha)	Available Land to meet new demand figure (ha)	Percentage of the new demand met by available land
	Outstanding Demand	10-year forecast (2010 – 2019)	Outstanding Demand	10-year forecast (2013 – 2022)					
Mau Ping	NIL	NIL	NIL	NIL	16.66 (15.87)	0.41	NIL	0.12	NIL
Wong Chuk Shan	NIL	NIL	NIL	NIL	8.78 (7.85)	0.40	NIL	0.16	NIL
Total	NIL	NIL	NIL	NIL	25.44 (23.72)	0.81	NIL	0.28	NIL

Transportation

9.7 The Area is not served by any vehicular access but is only accessible via footpaths such as the Pak Kong – Mui Tsz Lam Trackway that leads up to the Area from Pak Kong in the Sai Kung area or Mui Tsz Lam in the Ma On Shan area. The MacLehose Trail runs close to and alongside the Area, to its southeast side.

10. Planning Intention

The Area forms an integral part of the natural system of the natural woodlands in the adjoining Ma On Shan Country Park that supports populations of rare plant and fauna species of conservation interests. The landscape and amenity value of the Area is categorized high. The general planning intention of the Area is to protect its high conservation and landscape value which complements the overall naturalness and the landscape beauty of the surrounding Ma On Shan Country Park. The planning intention is also to reflect the existing recognized villages of Mau Ping and Wong Chuk Shan.

11. Land Use Zonings

11.1 "Village Type Development" ("V"): Total Area 0.81ha

11.1.1 The planning intention of this zone is to designate both existing recognized villages and areas of land considered suitable for village expansion. 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 Board.

- 11.1.2 Mau Ping and Wong Chuk Shan are the recognized villages in the Area. The boundaries of the "V" zone are drawn up having regard to the village 'environs', the number of outstanding Small House applications (if any), Small House demand forecast (if any), local topography and site constraints. Areas of difficult terrain, dense vegetation, stream courses and burial grounds have been avoided as far as possible. There is no outstanding Small House application for these villages, and no 10-year forecasts of Small House demand are available.
- 11.1.3 No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23 m) or the height of the building which was in existence on the date of first publication in the Gazette of the notice of the draft DPA plan, whichever is the greater. Application for minor relaxation of these restrictions would be considered by the Board based on individual merits, taking into account site constraints, innovative architectural design and planning merits that would enhance the amenity of the locality.
- 11.1.4 As diversion of streams or filling of pond may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities. There is no existing sewer or planned public sewer for the Area, and at present, each house is typically served by its own on-site STS system. In accordance with the Environmental, Transport and Works Bureau's Technical Circular (Works) No. 5/2005, under the current administrative practice, for development proposals/submissions that may affect natural streams/rivers, the approving/processing authorities at various stages of the development should consult and collate comments from DAFC and relevant authorities and incorporate relevant comments/advice as conditions of approval wherever possible. Also, for the protection of the water quality of the streams and Rocky Harbour, the design and construction of on-site STS system for any development proposals/submissions need to comply with relevant standards and regulations, such as EPD's ProPECC 5/93. Accordingly, the Lands Department when processing Small House grant and applications in close proximity to existing stream courses should consult concerned departments including EPD, the AFCD and PlanD to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.
- 11.1.5 In addition, the Mau Ping area also falls entirely within the upper indirect WGG. For any village type development within the "V" zone, it should be demonstrated that the water quality within WGG will not be affected by the proposals. In general, the use of septic tank and soakaway systems for sewage treatment and disposal is considered as an unacceptable means for new village developments located in WGGs. There should be demonstrably effective means (such as proper waste

water treatment plant) to ensure that the effluent water quality is acceptable to concerned government departments.

11.2 "Green Belt" ("GB"): Total Area 38.88 ha

- 11.2.1 The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.
- 11.2.2 The areas, comprising mainly natural vegetation, woodland, hillside shrubland and grassland, fallow agricultural land, natural streams, and a traditional burial ground, can serve as a buffer between any future Small House developments and the conservation area, as well as the Country Park. They would also help to conserve the high landscape and rural setting of the Area.
- 11.2.3 Diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activities.

11.3 "Conservation Area" ("CA") : Total Area 5.57 ha

- 11.3.1 This zoning is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.
- 11.3.2 The "CA" zoning covers the Mau Ping *Fung Shui* Wood behind the Mau Ping San Uk. It is in good condition and a number of species with conservation interest have been recorded therein. The zoning also covers a northern part of the Area where the protected tree species *Camellia crapnelliana* (紅皮糙果茶) are found. The AFCD has proposed to extend the boundary of the Mau Ping SSSI southward to also cover the northern part of the Area, so as to better protect the population of *Camellia crapnelliana* found in this area. The designation of the extended SSSI boundary is in progress.
- 11.3.3 New residential development is not permitted under this zone. Redevelopment of existing houses may be permitted on application to the Board. The redevelopment of existing houses shall not result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication of the

DPA Plan.

- 11.3.4 Diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activities.
- 11.4 Detailed land-use proposals of the Area are set out in paragraph 9 of the ES (**Appendix III**). A comparison of land use zonings reserved in the approved Mau Ping DPA Plan No. DPA/ST-MP/2 and the draft OZP No. S/ST-MP/B is shown in the table below :

Land Use Zoning	Area on approved DPA Plan	Area on draft OZP
"V"	1.25 ha (2.76%)	0.81 ha (1.79%)
"Unspecified"	44.01 ha (97.24%)	-
"GB"	-	38.88 ha (85.90%)
"CA"	-	5.57 ha (12.31%)
TOTAL	45.26 ha (100%)	45.26 ha (100%)

12. Notes of the Plan

- 12.1 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 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. To provide flexibility for development with design adapted to the characteristics of particular sites, minor relaxation of the specific development restriction(s) stated in the Notes for particular zones may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.
- 12.2 The draft Notes are formulated on the basis of the latest set of Master Schedule of Notes (MSN) endorsed by the Board.

13. Consultation

- 13.1 The draft OZP together with its Notes and Explanatory Statement and the Planning Report have been circulated to the relevant Government bureau and departments for comments. Comments received have been incorporated into the draft OZP, its Notes and ES and Planning Report as appropriate.
- 13.2 Subject to the agreement of the Board, the draft OZP No. S/ST-MP/B will be submitted to the STDC and the STRC for consultation. Comments from the STDC and the STRC will be submitted to the Board for consideration prior to the publication of the draft OZP under section 5 of the Ordinance.

14. Decision Sought

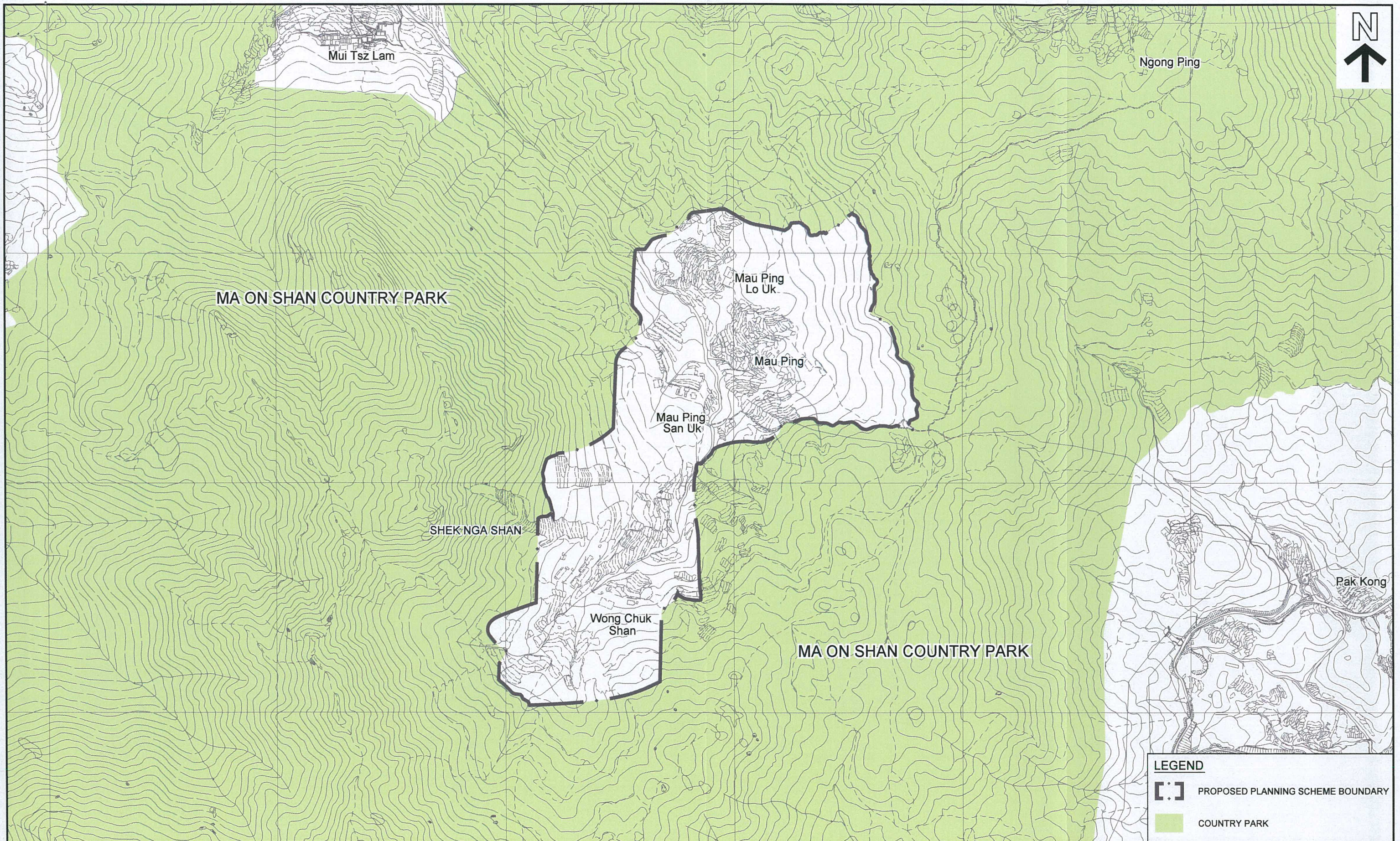
Members are invited to:

- (a) agree that the draft Mau Ping OZP No. S/ST-MP/B (**Appendix I**) together with its Notes (**Appendix II**) is suitable for consultation with the STDC and STRC;
- (b) agree that the ES (**Appendix III**) is suitable to serve as an expression of the planning intentions and objectives of the Board for various land use zonings of the draft Mau Ping OZP No. S/ST-MP/B and the ES should be issued under the name of the Board; and
- (c) agree that the ES (**Appendix III**) is suitable for consultation with the STDC and the STRC together with the draft OZP.

15. Attachments

Plan 1	Planning Scheme Area of Mau Ping OZP
Plan 2	Aerial Photo of Mau Ping
Plan 3	Village Environs and Existing Physical Features
Appendix I	Draft Mau Ping Outline Zoning Plan No. S/ST-MP/B
Appendix II	Notes of the Draft Mau Ping OZP No. S/ST-MP/B
Appendix III	Explanatory Statement of the Draft Mau Ping OZP No. S/ST-MP/B
Appendix IV	Planning Report on Mau Ping
Appendix V	Proposal by the Kadoorie Farm & Botanic Garden Corporation (KFBG)
Appendix VI	Planning Assessment on the KFBG's Proposal

**PLANNING DEPARTMENT
APRIL 2014**



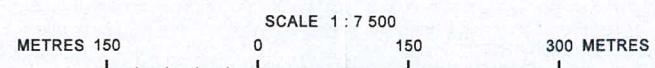
LEGEND

[] PROPOSED PLANNING SCHEME BOUNDARY

[] COUNTRY PARK

PROPOSED PLANNING SCHEME AREA

MAU PING



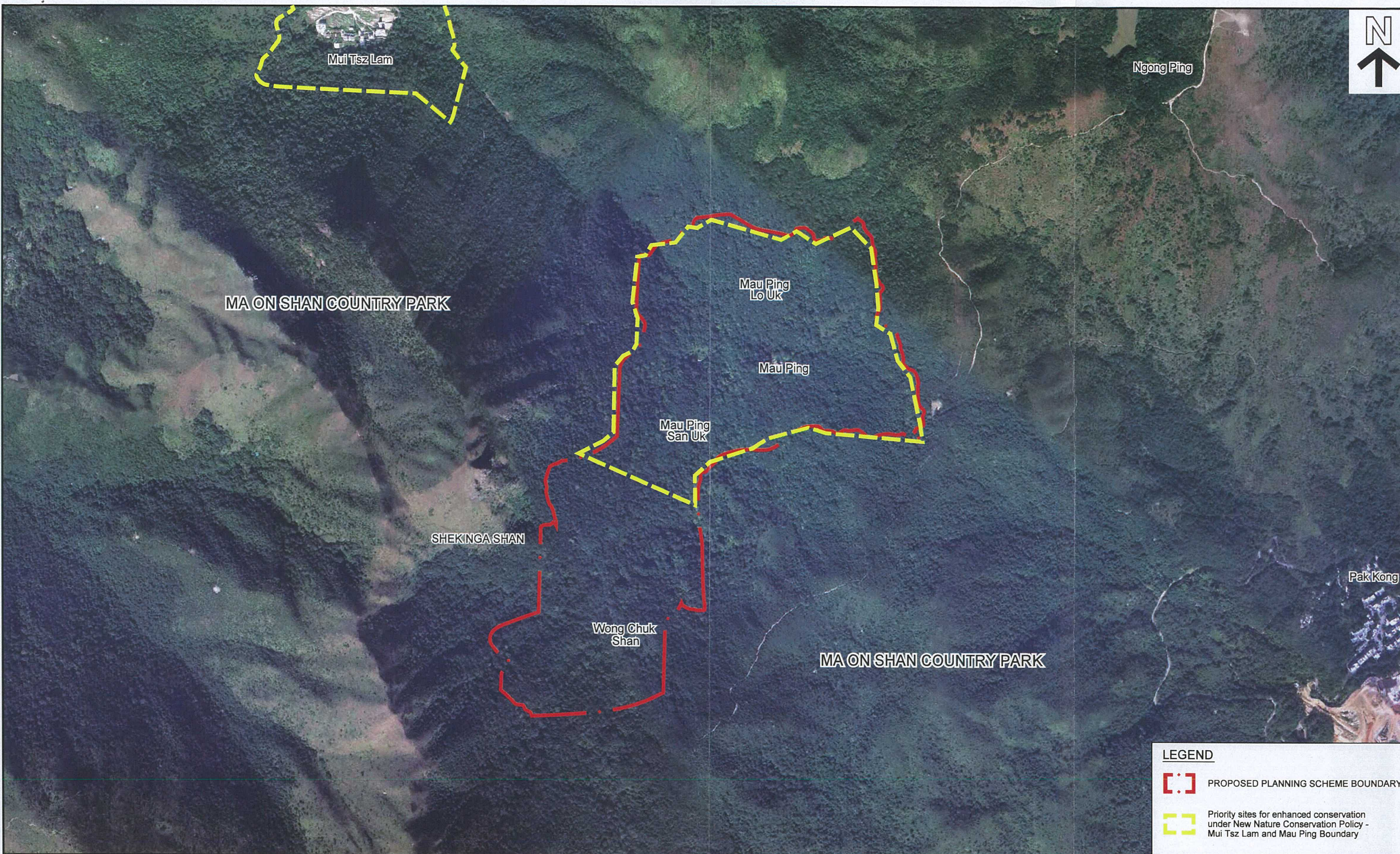
PLANNING DEPARTMENT




EXTRACT PLAN PREPARED ON 7.4.2014
BASED ON SURVEY SHEETS No. 7-SE-8C/D, 9C/D, 10C/D,
13A/B/C/D, 14A/B/C/D, 15A/B/C/D, 18A/B, 19A/B AND 20A/B


REFERENCE No.
M/CPE/MP/14/5

PLAN
1



LEGEND


 PROPOSED PLANNING SCHEME BOUNDARY

 Priority sites for enhanced conservation under New Nature Conservation Policy - Mui Tsz Lam and Mau Ping Boundary

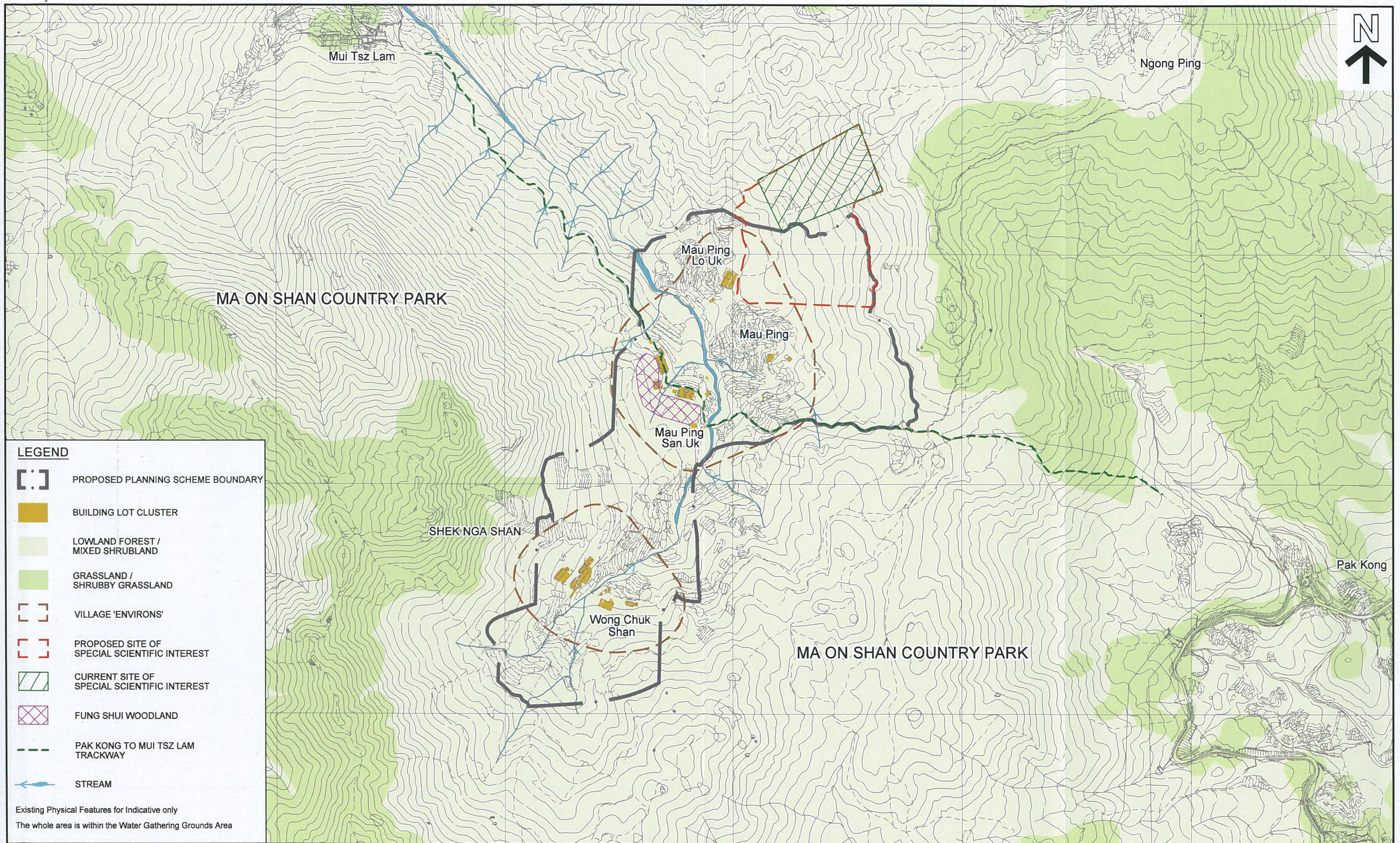
EXTRACT PLAN PREPARED ON 7.4.2014
 BASED ON AERIAL PHOTOS No.
 CW101318-20, CW101709 AND CW101711-12
 TAKEN ON 7.1.2013 BY LANDS DEPARTMENT

AERIAL PHOTOS

MAU PING

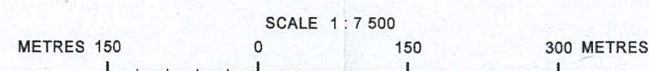
PLANNING DEPARTMENT 

REFERENCE No. M/CPE/MP/14/5	PLAN 2
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VILLAGE 'ENVIRONS' AND EXISTING PHYSICAL FEATURES

MAU PING



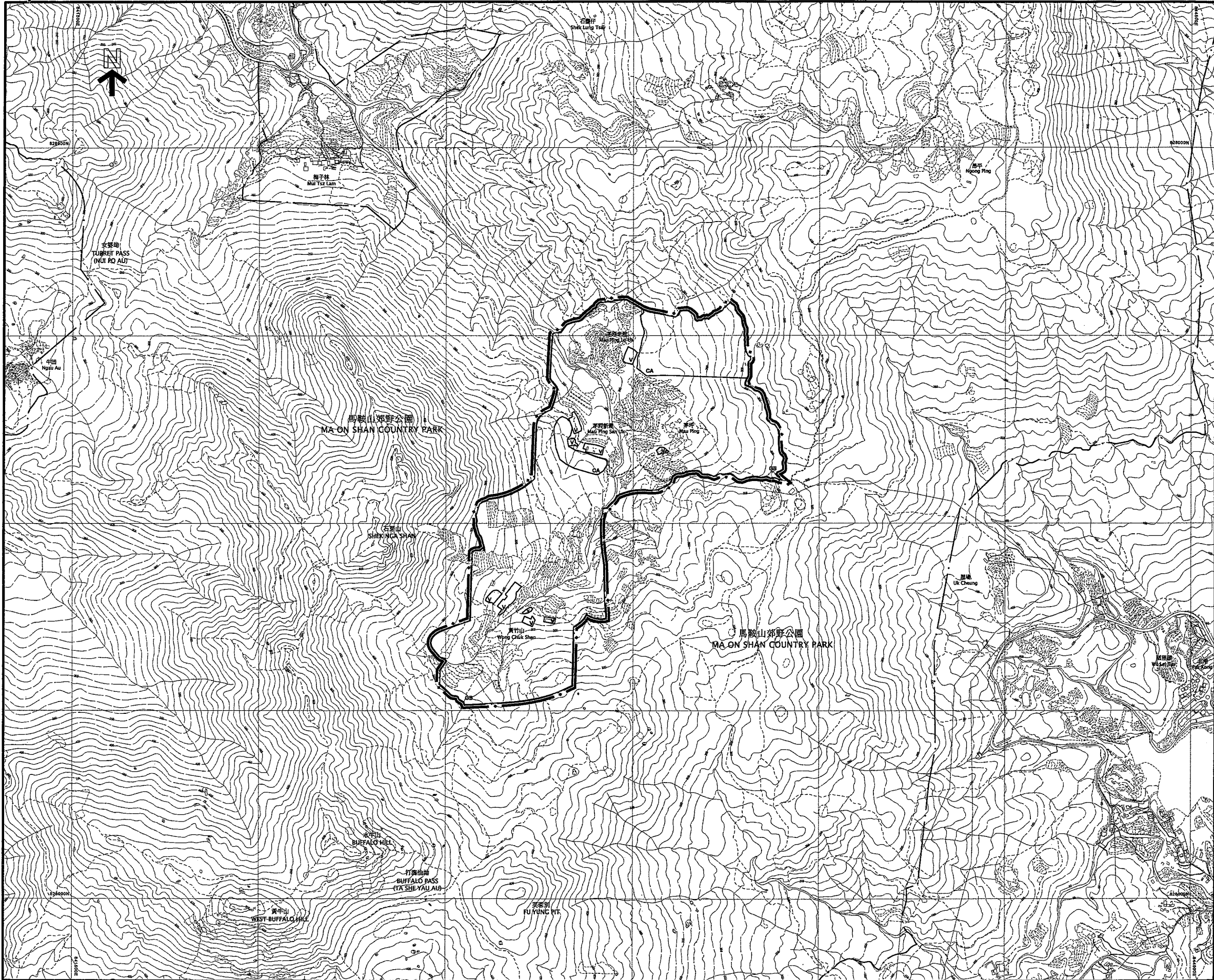
PLANNING DEPARTMENT



EXTRACT PLAN PREPARED ON 7.4.2014
BASED ON SURVEY SHEETS No. 7-SE-8C/D, 9C/D, 10C/D,
13A/B/C/D, 14A/B/C/D, 15A/B/C/D, 18A/B, 19A/B AND 20A/B

REFERENCE No.
M/CPE/MP/14/5

PLAN
3



圖例
NOTATION

- ZONES

VILLAGE TYPE DEVELOPMENT

GREEN BELT

CONSERVATION AREA
- 地帶

鄉村式發展

綠化地帶

自然保育區
- MISCELLANEOUS

BOUNDARY OF PLANNING SCHEME

BOUNDARY OF COUNTRY PARK / SPECIAL AREA
- 其他

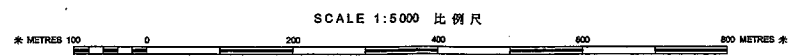
規劃範圍界線

郊野公園 / 特別地區界線

土地用途及面積一覽表
SCHEDULE OF USES AND AREAS

USES	大約面積及百分比 APPROXIMATE AREA & %		用途
	公頃 HECTARES	百分比 %	
VILLAGE TYPE DEVELOPMENT	0.81	1.79	鄉村式發展
GREEN BELT	38.88	85.90	綠化地帶
CONSERVATION AREA	5.57	12.31	自然保育區
TOTAL PLANNING SCHEME AREA	45.26	100.00	規劃範圍總面積

香港城市規劃委員會依據城市規劃條例擬備的茅坪分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
MAU PING - OUTLINE ZONING PLAN



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



圖則編號
PLAN No. S/ST-MP/B

DRAFT MAU PING
OUTLINE ZONING PLAN NO. S/ST-MP/B

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

NOTES

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

- (1) These Notes show the uses or developments on land falling within the boundaries of the Plan which are always permitted and which may be permitted by the Town Planning Board, with or without conditions, on application. Where permission from the Town Planning Board for a use or development is required, the application for such permission should be made in a prescribed form. The application shall be addressed to the Secretary of the Town Planning Board, from whom the prescribed application form may be obtained.
- (2) Any use or development which is always permitted or may be permitted in accordance with these Notes must also conform to any other relevant legislation, the conditions of the Government lease concerned, and any other Government requirements, as may be applicable.
- (3) No action is required to make the use of any land or building which was in existence immediately before the first publication in the Gazette of the notice of the draft development permission area plan conform to this Plan, provided such use has continued since it came into existence. Any material change of such use or any other development (except minor alteration and/or modification to the development of the land or building in respect of such use which is always permitted) must be always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board.
- (4) A use or development of any land or building permitted under an earlier draft or approved plan including development permission area plan for the area and effected or undertaken during the effective period of that plan is always permitted under this Plan. Any material change of such use or any other development (except minor alteration and/or modification to the completed development of the land or building which is always permitted) must be always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board.
- (5) Except to the extent that paragraph (3) or (4) applies, any use or development falling within the boundaries of the Plan and also within the boundaries of the draft development permission area plan, unless always permitted in terms of the Plan, shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without permission from the Town Planning Board.
- (6) Except as otherwise specified by the Town Planning Board, when a use or material change of use is effected or a development or redevelopment is undertaken, as always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board, all permissions granted by the Town Planning Board in respect of the site of the use or material change of use or development or redevelopment shall lapse.

- (7) Alignment of roads and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.
- (8) The following uses or developments are always permitted on land falling within the boundaries of the Plan except (a) where the uses or developments are specified in Column 2 of the Notes of individual zones or (b) as provided in paragraph (9) in relation to areas zoned "Conservation Area":
 - (a) maintenance, repair or demolition of a building;
 - (b) provision, maintenance or repair of plant nursery, amenity planting, open space, rain shelter, refreshment kiosk, footpath, bus/public light bus stop or lay-by, cycle track, taxi rank, public utility pipeline, electricity mast, lamp pole, telephone booth, telecommunications radio base station, automatic teller machine and shrine;
 - (c) maintenance or repair of road, watercourse, nullah, sewer and drain;
 - (d) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities and waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government;
 - (e) rebuilding of New Territories Exempted House;
 - (f) replacement of an existing domestic building, i.e. a domestic building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, by a New Territories Exempted House; and
 - (g) provision, maintenance or repair of a grave of an indigenous New Territories villager or a locally based fisherman and his family members for which permission has been obtained from Government.
- (9) In areas zoned "Conservation Area",
 - (a) the following uses or developments are always permitted:
 - (i) maintenance or repair of plant nursery, amenity planting, sitting out area, rain shelter, refreshment kiosk, road, watercourse, nullah, public utility pipeline, electricity mast, lamp pole, telephone booth, shrine and grave;
 - (ii) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities, waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government; and
 - (iii) provision of amenity planting by Government; and

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

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

- (10) In any area shown as 'Road', all uses or developments except those specified in paragraphs (8)(a) to (8)(d) and (8)(g) above and those specified below require permission from the Town Planning Board:

road and on-street vehicle park.

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

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

- (b) Except as otherwise provided in paragraph (11)(a), and subject to temporary uses for open storage and port back-up purposes which are prohibited in areas zoned "Conservation Area", temporary use or development of any land or building not exceeding a period of three years requires permission from the Town Planning Board. Notwithstanding that the use or development is not provided for in terms of the Plan, the Town Planning Board may grant permission, with or without conditions, for a maximum period of three years, or refuse to grant permission.

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

- (12) Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted uses and developments within the same zone are always permitted and no separate permission is required.

- (13) In these Notes, unless the context otherwise requires or unless as expressly provided below, terms used in the Notes shall have the meanings as assigned under section 1A of the Town Planning Ordinance.

"Existing building" means a building, including a structure, which is physically existing and is in compliance with any relevant legislation and the conditions of the Government lease concerned.

"New Territories Exempted House" means a domestic building other than a guesthouse or a hotel; or a building primarily used for habitation, other than a guesthouse or a hotel, the ground floor of which may be used as 'Shop and Services' or 'Eating Place', the building works in respect of which are exempted by a certificate of exemption under Part III of the Buildings Ordinance (Application to the New Territories) Ordinance (Cap. 121).

**DRAFT MAU PING
OUTLINE ZONING PLAN NO. S/ST-MP/B**

Schedule of Uses

	<u>Page</u>
VILLAGE TYPE DEVELOPMENT	1
GREEN BELT	X
CONSERVATION AREA	X

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 Flat 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 Private Club Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation # Public Vehicle Park (excluding container vehicle) 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 designate both existing recognized villages and areas of land considered suitable for village expansion. 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 any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

GREEN BELT

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Barbecue Spot Government Use (Police Reporting Centre only) Nature Reserve Nature Trail On-Farm Domestic Structure Picnic Area Public Convenience Tent Camping Ground Wild Animals Protection Area	Animal Boarding Establishment Broadcasting, Television and/or Film Studio Burial Ground Columbarium (within a Religious Institution or extension of existing Columbarium only) Crematorium (within a Religious Institution or extension of existing Crematorium only) Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) Helicopter Landing Pad Holiday Camp House (other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes) Petrol Filling Station Place of Recreation, Sports or Culture Public Transport Terminus or Station Public Utility Installation

(Please see next page)

GREEN BELT (Cont'd)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
	Public Vehicle Park (excluding container vehicle) Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation Religious Institution Residential Institution Rural Committee/Village Office School Service Reservoir Social Welfare Facility Utility Installation for Private Project

Planning Intention

The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.

Remarks

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

CONSERVATION AREA

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

Planning Intention

This zoning is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development.

There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.

(Please see next page)

CONSERVATION AREA (Cont'd)

Remarks

- (a) No redevelopment, including alteration and/or modification, of an existing house shall result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan.
- (b) Any diversion of streams, filling of land/pond or excavation of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes, shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

DRAFT MAU PING

OUTLINE ZONING PLAN NO. S/ST-MP/B

EXPLANATORY STATEMENT

**DRAFT MAU PING
OUTLINE ZONING PLAN NO. S/ST-MP/B**

EXPLANATORY STATEMENT

<u>CONTENTS</u>	<u>Page</u>
1. INTRODUCTION	X
2. AUTHORITY FOR THE PLAN AND PROCEDURE	X
3. OBJECT OF THE PLAN	X
4. NOTES OF THE PLAN	X
5. THE PLANNING SCHEME AREA	X
6. POPULATION	X
7. OPPORTUNITIES AND CONSTRAINTS	X
8. GENERAL PLANNING INTENTION	X
9. LAND-USE ZONINGS	X
9.1 Village Type Development	X
9.2 Green Belt	X
9.3 Conservation Area	X
10. COMMUNICATIONS	X
11. UTILITY SERVICES	X
12. IMPLEMENTATION	X
13. PLANNING CONTROL	X

DRAFT MAU PING
OUTLINE ZONING PLAN NO. S/ST-MP/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 Mau Ping Outline Zoning Plan (OZP) No. S/ST-MP/B. It reflects the planning intention and objectives of the Town Planning Board (the Board) for various land-use zonings of 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 Development Permission Area (DPA) Plan for the Mau Ping area.
- 2.2 On 26 August 2011, the draft Mau Ping DPA Plan No. DPA/ST-MP/1 was exhibited for public inspection under section 5 of the Ordinance. During the two-month exhibition period, six representations were received. On 18 November 2011, the representations were published for three weeks for public comment and no comment was received. After giving consideration to the representations on 9 March 2012, the Board decided not to propose any amendment to the draft DPA plan to meet the representations.
- 2.3 On 26 June 2012, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Mau Ping DPA Plan, which was subsequently renumbered as DPA/ST-MP/2. On 13 July 2012, the approved Mau Ping DPA Plan No. DPA/ST-MP/2 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.4 On 12 March 2014, under the power delegated by the Chief Executive, the Secretary for Development directed the Board, under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the Mau Ping area.
- 2.5 On XXXX 2014, the draft Mau Ping OZP No. S/ST-MP/B (the Plan) was exhibited for public inspection under section 5 of the Ordinance.

3. **OBJECT OF THE PLAN**

- 3.1 The object of the Plan is to indicate the broad land-use zonings for the area of Mau Ping so that development and redevelopment within the area of Mau Ping can be put under statutory planning control. It also provides the planning framework for preparing more detailed non-statutory plans which form the basis for public works planning and site reservation for various uses.
- 3.2 The Plan is to illustrate the broad principles of development and planning control only. It is a small-scale plan and the road alignments and boundaries between the land-use zones may be subject to minor alterations as detailed planning proceeds.

4. **NOTES OF THE PLAN**

- 4.1 Attached to the Plan is a set of Notes which shows the types of uses or developments which are always permitted within the Planning Scheme Area and in particular zones 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 PLANNING SCHEME AREA**

- 5.1 The Planning Scheme Area (the Area), covering a total area of about 45 ha, is an upland valley surrounded by the Ma On Shan Country Park, about mid-way between Sai Kung area to the southeast and the Ma On Shan area to the northwest. It straddles the Ma On Shan mountain range at about 300m above sea level, with diverse and uneven terrains including a stream-flowing valley, slopes, ridges and spurs. Most of the Area is covered by woodlands, with some clusters of house ruins and abandoned agricultural lands along the valley.
- 5.2 Being remote and up in the hills, it is not served by any vehicular access, and is only accessible by footpaths. Though not being part of the Ma On Shan Country Park, the Area forms part of the wider natural system of the countryside. A pristine stream flows through the Area from south to north down to Mui Tsz Lam, and being sheltered from extreme weathers and hydrological conditions, it is covered with luxuriant vegetation. The native woodland is known to support populations of rare plant and fauna species of conservation interests.

- 5.3 The Area is part of the Mui Tsz Lam and Mau Ping Priority Site for Enhanced Conservation under the New Nature Conservation Policy. Besides, the Mau Ping Site of Special Scientific Interest (SSSI), listed for its floristic importance, is in close proximity to the north of the site. The Pak Kong - Mui Tsz Lam Trackway, which is a site of archaeological interest, traverses the Area connecting Ma On Shan and Sai Kung.
- 5.4 Two recognised villages, namely Mau Ping and Wong Chuk Shan, and mostly in ruin, are located in the southern and middle parts of the Area. A burial ground is located on the northeastern side.

6. POPULATION

According to the 2011 Census, there was no population in the Area. It is expected that the total planned population of the Area would be 83 persons mainly attributed to the village expansion.

7. OPPORTUNITIES AND CONSTRAINTS

7.1 Opportunities

7.1.1 Conservation and Natural Landscape

The natural habitats in the Area include undisturbed terrestrial, hilly habitats, *fung shui* woodland, secondary forest, shrubland, and stream. Many trees are large, mature and in good form, and dense woodland plants and foliage spread underneath, having regenerated as mature secondary woodland. These habitats support a large number of flora and fauna in the Area which are ecologically-linked with the wide stretch of vegetation in the surrounding Ma On Shan Country Park. Protected and notable plant species have been recorded in these habitats, and a number of animal species of conservation concern have also been recorded in the Area or in its vicinity. The Area is a part of the Mui Tsz Lam and Mau Ping Priority Site for Enhanced Conservation under the New Nature Conservation Policy. The Mau Ping SSSI, designated in 1979 for the protection of the rare tree species *Camellia crapnelliana* (紅皮糙果茶), is near the Area to the north. The *Camellia crapnelliana* has now spread south and can be found in a northern part of the Area. The landscape and amenity value of the Area is categorized high due to its expansive woodland landscape which is visually coherent with the surrounding Ma On Shan Country Park.

7.1.2 Tourism Potential

The Pak Kong - Mui Tsz Lam Trackway, which is a site of archaeological interest identified by the Antiques and Monuments Office, traverses the Area, connecting the Ma On Shan area with Sai Kung area. The trackway is frequented by visitors and bird watchers.

7.2 Constraints

7.2.1 Transportation

At present, the Area is not served by any vehicular access but is only accessible via footpath such as the Pak Kong – Mui Tsz Lam Trackway, from Pak Kong in Sai Kung or Mui Tsz Lam in Ma On Shan. The MacLehose Trail runs close to and alongside the Area, to its southeast side.

7.2.2 Geotechnical

The subject area is located below steep natural hillside and may be affected by potential natural terrain hazards. As such, natural terrain hazard study and suitable hazard mitigation measures, if found necessary by the study, may be required for any proposed development at the subject area. Furthermore, there are existing man-made slopes and retaining walls falling within the concerned within the concerned area. If such existing man-made slopes or retaining walls could affect or be affected by any future development, or if their failure could affect lives and property within or outside the project site, investigations and studies of these slopes or retaining walls shall be submitted to the Geotechnical Engineering Office of the Civil Engineering and Development Department for checking.

7.2.3 Ecological Significance

The native woodlands in the Area are natural in character and are ecologically-linked with the Ma On Shan Country Park, and protected plant species, as well as a number of insect/animal species of conservation interest have been recorded in the Area. The natural stream with its tributaries running through the Area is of pristine water quality and supports a number of species of conservation interest. The Mau Ping *Fung Shui* Wood is in good condition and plant species of conservation interest, including *Aquilaria sinensis* (土沉香), *Casearia velutina* (毛嘉賜樹), *Ficus nervosa* (九丁樹), *Pavetta hongkongensis* (香港大沙葉), and *Stauntonia chinensis* (野木瓜) are found within it. The Mau Ping SSSI for the protection of the *Camellia crapnelliana* (紅皮糙果茶) is located just to the north of the Area. Trees of this species are now found also in a northern part of the Area, and the Agriculture, Fisheries and Conservation Department (AFCD) has proposed to extend the SSSI southward to include the new-growth area of the species. Other protected tree species in this northern part of the Area include *Neottopteris nidus* (巢蕨) and *Ailanthus fordii* (常綠臭椿), are found in the northern area. From the nature conservation perspective, any direct or indirect impacts to the water quality along the stream and to the ecological resources throughout the Area, and developments that may adversely affect the general rural character and the adjacent ecologically sensitive areas should be avoided.

7.2.4 Landscape Character

The landscape characters of Mau Ping are similar with the adjacent Ma On Shan Country Park, which is categorized as of high landscape and amenity value. The woodland of the Area, which is rich and mature, extends throughout the hillside valley, covering even house ruins. The landscape character of Mau Ping and the adjacent Ma On Shan Country Park should be conserved, and in delineating the "Village Type Development" ("V") zone, significant landscape resources should not be included and sufficient landscape buffer should be provided. Extensive development and associated road or utility infrastructure are considered not compatible with the surrounding landscape character. Furthermore, sufficient landscape buffer should be provided to the Mau Ping SSSI to preserve its landscape value.

7.2.5 Burial Grounds

There is a large piece of permitted burial ground at the northeastern part of the Area. This has been in existence for many years, which is considered as an existing use and intended for burial places of deceased indigenous villagers in the Area. These areas are not suitable for any development.

7.2.6 Sewerage

There is no existing sewer or planned public sewer for the Area, and since the area is located within upper indirect Water Gathering Ground (WGG). For any new developments within WGG, impact assessment should be conducted and submitted to the Water Authority to demonstrate that the new development will not result in loss of yield and material increase in pollution risks to the WGG. Besides, should the septic tank and soakaway system (STS) for sewage treatment and disposal be used, the design and construction of on-site STS system need to comply with relevant standards and regulations.

7.2.7 Site of Archaeological Interest and Cultural Heritage

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

7.2.8 Infrastructure and Utility Services

The Area is provided with electricity and telephone services. However, there are no potable water supply or drainage systems in the Area.

8. GENERAL PLANNING INTENTION

The Area forms an integral part of the natural system of the natural woodlands in the adjoining Ma On Shan Country Park that supports populations of rare plant and fauna species of conservation interests. The landscape and amenity value of the Area is high. The general planning intention of the Area is to protect its conservation and landscape value which complements the overall naturalness and the landscape beauty of the surrounding Ma On Shan Country Park. The planning intention is also to reflect the existing recognized villages of Mau Ping and Wong Chuk Shan.

9. LAND-USE ZONINGS

9.1 "Village Type Development" ("V") : Total Area 0.81 ha

- 9.1.1 The planning intention of this zone is to designate both existing recognized villages and areas of land considered suitable for village expansion. 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 Board.
- 9.1.2 The boundaries of the "V" zone are drawn up having regard to the village 'environs', the number of outstanding Small House applications, Small House demand forecast, local topography and site constraints. Areas of difficult terrain, dense vegetation, stream courses and burial grounds have been avoided as far as possible. Mau Ping and Wong Chuk Shan are two recognized villages in the Area.
- 9.1.3 No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23 m) or the height of the building which was in existence on the date of first publication in the Gazette of the notice of the draft DPA plan, whichever is the greater. Application for minor relaxation of these restrictions would be considered by the Board based on individual merits, taking into account site constraints, innovative architectural design and planning merits that would enhance the amenity of the locality.
- 9.1.4 Some areas zoned "V" are overlooked by steep natural hillsides and may be affected by potential natural terrain landslide hazards. For future development in these areas, the developer(s) may be required to carry out natural terrain hazard study and provide suitable hazard mitigation measures, if found necessary, as part of the development.

- 9.1.5 As diversion of streams or filling of pond may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.
- 9.1.6 There is no existing sewer or planned public sewer for the Area, and at present, each house is typically served with its own on-site STS system. In accordance with the Environmental, Transport and Works Bureau's Technical Circular (Works) No. 5/2005, under the current administrative practice, development proposals/submissions that may affect natural streams/rivers, the approving/processing authorities at various stages of the development should consult and collate comments from the DAFC and relevant authorities and incorporate relevant comments/advice as conditions of approval wherever possible. Also, for the protection of the water quality of the watercourses in the Area, the design and construction of on-site STS system for any development proposals/submissions need to comply with relevant standards and regulations, such as Environmental Protection Department (EPD)'s Practice Note for Professional Person (ProPECC) 5/93. Accordingly, Lands Department when processing Small House grant and applications in close proximity to existing stream courses, should consult concerned departments including EPD, AFCD and Planning Department (PlanD) to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.
- 9.1.7 The Mau Ping area also falls entirely within the upper indirect WGG. For any village type development within the "V" zone, it should be demonstrated that the water quality within WGG will not be affected by the proposals. In general, the use of septic tank and soakaway systems for sewage treatment and disposal is considered as an unacceptable means for new village developments located in WGGs. There should be demonstrably effective means (such as proper waste water treatment plant) to ensure that the effluent water quality is acceptable to concerned government departments.

9.4 "Green Belt" ("GB") : Total Area 38.88 ha

- 9.4.1 The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.
- 9.4.2 The areas, comprising mainly natural vegetation, woodland, hillside shrubland and grassland, fallow agricultural land, and natural streams, can serve as a buffer between the development and the conservation/country park areas, as well as conserve the high landscape and rural setting of the Area.

- 9.4.3 There is a large piece of permitted burial ground at the northeastern part of the Area. This has been in existence for many years, which is considered as an existing use and intended for burial places of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities within these zones are generally tolerated.
- 9.4.4 There is a general presumption against development within this zone. Development in this zone will be strictly controlled. Development proposals will be considered by the Board on individual merits taking into account the relevant Town Planning Board Guidelines.
- 9.4.5 As diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.

9.5 "Conservation Area" ("CA") : Total Area 5.57 ha

- 9.5.1 This zoning is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.
- 9.5.2 The Mau Ping *Fung Shui* Wood behind the Mau Ping San Uk falls within this zone. It is in good condition and plant species of conservation interest, including *Aquilaria sinensis* (土沉香), *Casearia velutina* (毛嘉賜樹), *Ficus nervosa* (九丁樹), *Pavetta hongkongensis* (香港大沙葉), and *Stauntonia chinensis* (野木瓜), are found in the *Fung Shui* Wood. A northern part of the Area, where the protected plant species including the *Camellia crapnelliana* (紅皮糙果茶), *Neottopteris nidus* (巢蕨) and *Ailanthus fordii* (常綠臭椿) are found, is also covered by "CA" zone. The AFCD has proposed to extend the boundary of the existing Mau Ping SSSI southward to also cover the northern part of the Area, so as to better protect the population of *Camellia crapnelliana* found in this area. The designation of the extended SSSI boundary is in progress.
- 9.5.3 New residential development is not permitted under this zone. Redevelopment of existing houses may be permitted on application to the Board. The redevelopment of existing houses shall not result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication of the DPA Plan.

- 9.5.4 Diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activities.

10. CULTURAL HERITAGE

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

11. COMMUNICATIONS

Transport Network

The Area is not served by any vehicular access but is only accessible by via footpaths such as the Pak Kong – Mui Tsz Lam Trackway that leads up to the Area from Pak Kong in the Sai Kung area or Mui Tsz Lam in the Ma On Shan area. The MacLehose Trail runs close to and alongside the Area, to its southeast side.

12. UTILITY SERVICES

The Area is provided with electricity and telephone services. There are no potable water supply, sewerage and drainage systems in the Area. Also, as the area is located within WGG, the use of septic tank and soakaway system for sewage treatment and disposal is generally not an acceptable alternative for new small house development located within WGG.

13. IMPLEMENTATION

- 13.1 The Plan provides a broad land-use framework for development control and implementation of planning proposals for the Area. More detailed plans will be prepared as a basis for public works planning and private developments.
- 13.2 At present there is no overall programme for the provision of infrastructure within the Area. The implementation process will be gradual and may stretch over a long period of time depending on the availability of resources. It will be undertaken through the participation of both the public and private sectors.

- 13.3 Notwithstanding the above, minor improvement works, e.g. access improvement and laying of utility services will be implemented through the Public Works Programme and the Rural Public Works as and when resources are available. Private developments will be effected principally through private sector initiatives to develop or redevelop their properties in accordance with the zoned uses indicated on the Plan, provided that their proposals meet Government requirements.

14. PLANNING CONTROL

- 14.1 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 within the same zone are always permitted and no separate permission is required.
- 14.2 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 impacts 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.
- 14.3 Planning applications to the Board will be assessed on individual merits. In general, the Board, in considering the planning applications, will take into account all relevant planning considerations including guidelines published by the Board. Guidelines published by the Board are available from the Board's website, the Secretariat of the Board and the Technical Services Division of the Planning Department. Application forms and Guidance Notes for planning applications can be downloaded from the Board's website, and are available from the Secretariat of the Board, and the Technical Services Division and the 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.
- 14.4 Any development, other than those referred to in paragraph 13.1 above or in conformity with this Plan or with the permission of the Board, undertaken or continued on land included in this 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 and excavation of land in the relevant zones on or after the date of the first publication in the Gazette of the Notice of the draft DPA Plan without permission from the Board may also be subject to enforcement proceedings. Moreover, there is a presumption against filling of ponds for

temporary land uses/developments in conservation-related zonings, such as "CA".

**TOWN PLANNING BOARD
APRIL 2014**

PLANNING REPORT ON MAU PING



SHA TIN, TAI PO & NORTH
DISTRICT PLANNING OFFICE
PLANNING DEPARTMENT
APRIL 2014



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1. INTRODUCTION

1.1. Purpose of the Planning Report

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

1.2. Background

1.2.1. The Mau Ping Area (the Area), about 45 ha, is an upland valley surrounded by the Ma On Shan Country Park, about mid-way between Sai Kung area to the southeast and the Ma On Shan area to the northwest. It straddles the Ma On Shan mountain range at about 300m above sea level, with diverse and uneven terrains including a stream-flowing valley, slopes, ridges and spurs. The majority of the Area is covered by woodlands, with some clusters of house ruins and abandoned agricultural lands along the valley.

1.2.2. Being remote and up in the hills, it is not served by any vehicular access, and is only accessible by footpaths. Though not being part of the Ma On Shan Country Park, the Area forms part of the wider natural system of the countryside. A pristine stream flows through the Area from south to north down to Mui Tsz Lam, and being sheltered from

extreme weathers and hydrological conditions, it is covered with luxuriant vegetation. The native woodland is known to support populations of rare plant species and some fauna species of conservation interests.

1.2.3. The Area is part of the Mui Tsz Lam and Mau Ping Priority Site for Enhanced Conservation under the New Nature Conservation Policy, and is within upper indirect water gathering grounds (WGG). It is of significant ecological and conservation importance, and the Mau Ping Site of Scientific Interest (SSSI), designated in 1979 for the protection of the rare tree species *Camellia crapnelliana* (紅皮糙果茶), is near the Area to the north. The Agriculture, Fisheries and Conservation Department (AFCD) has proposed to extend the boundary of the SSSI to also cover a northern part of the Area, where stands of *Camellia crapnelliana* have now also been found. The Pak Kong - Mui Tsz Lam Trackway is a site of archaeological interest.

1.2.4. The Area is one of the Country Park enclaves that needs to be covered by statutory plan. Any uncontrolled development may affect ecological, landscape and archaeological value in the Area. There is an urgent need to better protect the natural scenic character and ecological value of the Area from uncontrolled development through development control. Under the power delegated by the Chief Executive, on 14.7.2014 the Secretary for Development (SDEV) directed the Town

Planning Board (the Board) to prepare a draft plan designating the Area as a development permission area (DPA) plan.

1.2.5. The draft Mau Ping DPA Plan No. DPA/ST-MP/1 was exhibited for public inspection on 26.8.2011. During the plan exhibition period, 6 representations were received. After giving consideration to the representations and comments on 9.3.2012, the Board decided not to propose any amendment to the draft DPA plan to meet the representations.

1.2.6. On 26.6.2012, the Chief Executive in Council (CE in C) approved the draft Mau Ping DPA Plan, which was subsequently renumbered as DPA/ST-MP/2 (**Figure 2**). On 13.7.2012, the approved Mau Ping DPA Plan No. No. DPA/NE-MP/2 was exhibited for public inspection under section 9(5) of the Town Planning Ordinance (the Ordinance).

1.2.7. Pursuant to section 20(5) of the Ordinance, the DPA Plan is effective for three years until 26.8.2014. On 12.3.2014, the Chief Executive (CE), pursuant to section 3(1)(a) of the Ordinance, directed the Board to prepare an OZP for the Area.

2. THE STUDY AREA

2.1. Location

2.1.1. The Area lies between Sai Kung and Ma On Shan,

up on the hill in the Ma On Shan Country Park. Down the hill towards Ma On Shan (northwest) is Mui Tsz Lam and towards Sai Kung (southeast) is Pak Kong. The location of the Area is shown in **Figure 1, 3 and 8** and an overview of the Area is shown in **Figure 4**.

2.2. Natural Features

Physical Setting and Topography (Figures 4 and 5a)

2.2.1. The Area, mostly of uneven terrain within an upland valley, is covered by dense woodlands and shrubland. Areas of gentler terrain were once occupied by village clusters and terraced farmland, but they are now mostly abandoned, and overgrown with vegetation. The Area can generally be broadly divided into three parts: the southern part in the upstream where the Wong Chuk Shan Village is located, the middle part where the Mau Ping Village is located, and the northern part abutting the Mau Ping SSSI.

Natural Habitats (Figures 4, 5b – 5d, 6b)

2.2.2. The natural habitats in the Area include undisturbed terrestrial, hilly habitats, *fung shui* woodland, secondary forest, shrubland, and stream. Many trees are large, mature and in good form, and dense woodland plants and foliage spread underneath, having regenerated as mature secondary woodland. These habitats support a large number of flora and fauna in the Area which

are ecologically-linked with the wide stretch of vegetation in the surrounding Ma On Shan Country Park.

- 2.2.3. Protected and notable plant species have been recorded in these habitats, and a number of animal species of conservation concern have also been recorded in the Area or in its vicinity. The Area is a part of the Mui Tsz Lam and Mau Ping Priority Site for Enhanced Conservation under the New Nature Conservation Policy. The current Mau Ping SSSI is located in proximity and to the north of the Area, and the Agriculture, Fisheries and Conservation Department (AFCD) has proposed an extension of the SSSI into the northern part of the Area.

- 2.2.4. Details of the natural habitats are listed below:

Woodland/shrubland (Figure 4, Photos 1-4 of Figures 5b and 5c)

- (a) The ecological and conservation importance of the Area is due largely to the native woodland harboring large populations of rare plants, such as *Euonymus kwangtungensis* (長葉衛矛), *Xylosma longifolium* (長葉柞木), *Camellia crapnelliana* (紅皮糙果茶), *Tropidia curculigoides* (仙茅竹莖蘭) and *Litsea greenmaniana* (華南木薑子). In terms of fauna, some species of conservation interest are also recorded, for example, amphibians

(*Amolops hongkongensis* (香港湍蛙), *Paa exilispinosa* (小棘蛙), *Paramesotriton hongkongensis* (香港瘰螈), *Xenophrys brachykolos* (短腳角蟾)), reptiles (*Bungarus multicinctus* (銀環蛇)) and birds (*Accipiter trivirgatus* (鳳頭鷹), *Aquila fasciata* (白腹隼鷂), *Centropus bengalensis* (小鴉鵂), *Spilornis cheela* (蛇鵂)).

- (b) The *Fung Shui* Wood behind Mau Ping San Uk forms part of this woodland habitat. It is in good condition and plant species of conservation interest, including *Aquilaria sinensis* (土沉香), *Casearia velutina* (毛嘉賜樹), *Ficus nervosa* (九丁樹), *Pavetta hongkongensis* (香港大沙葉), and *Stauntonia chinensis* (野木瓜) are found within it.
- (c) Stands of the rare tree species *Camellia crapnelliana* (紅皮糙果茶) are found in the northern part of the Area, south of the Mau Ping SSSI.

2.3. Historical Development

- 2.3.1. Mau Ping and Wong Chuk Shan villages are recognized villages in the Area, each with a distinct cluster village houses, mostly in ruins. There is no record of build heritage in the Area. However, the Pak Kong – Mui Tsz Lam Trackway, which is listed as a Site of Archaeological Interest by the Antiquities and Monuments Office (AMO), traverses the Area (Figure 6a). This historical

footpath serves as a direct footpath connection between the Sai Kung shore to the southeast and Ma On Shan shore to the northwest.

2.4. Population and Employment

- 2.4.1. In 2011 Census, there was no population in the Area. Villagers have moved out of the Area and some settled in the Mau Ping New Village and Wong Chuk Shan New Village in Sai Kung. The Area is therefore largely deserted, with only two *tsz tongs* that are well maintained. Hikers and bird watchers frequent the Area.

2.5. Existing Land Uses (Figures 6a – 6c)

- 2.5.1. The major existing land uses include the following:

Village Type Development (Figure 6a)

- (a) The Mau Ping Village in the middle part of the Area (**Photos 5 - 8 of Plan 6b**) and the Wong Chuk Shan Village in the south (**Photos 9 - 12 of Plan 6c**), now mostly in ruins (except one house), are the two recognized villages in the Area. The *tze tongs* of the villages which are quite well maintained.

Site of Archaeological Interest (Figure 8)

- (b) The Pak Kong – Mui Tsz Lam Trackway, which is a listed Site of Archaeological

Interest, traverses the Area. AMO and the Commissioner for Heritage's Office of the Development Bureau needs to be consulted on any development, redevelopment or rezoning proposals which may affect the archaeological interest and its environs.

Cultural Heritage Resources (Figure 6b)

- (c) The two *tsz tongs* in the Area, one in Mau Ping Village and one in Wong Chuk Shan, are well maintained by the villagers who have long moved out the Area.

Burial Grounds (Figure 10)

- (d) There is a burial ground in the northeastern part of the Area, overlapping parts of the expanded SSSI.

2.6. Land Ownership

- 2.6.1. The majority of land in the Area (about 75%) is Government land, and the remaining 25% are private land comprising mainly agricultural land and some building lots. (**Figure 7**).

2.7. Transportation and Access (Figure 8)

- 2.7.1. The Area is not served by any vehicular access but is only accessible by via footpaths such as the Pak Kong – Mui Tsz Lam Trackway that leads up to the Area from Pak Kong in the Sai Kung area or

Mui Tsz Lam in the Ma On Shan area. The MacLehose Trail runs close to and alongside the Area, to its southeast side.

2.8. Infrastructure and Utility Services

- 2.8.1. The Area is provided with electricity and telephone services. There are no potable water supply, sewerage and drainage systems in the Area. Also, as the area is located within WGG, the use of septic tank and soakaway system for sewage treatment and disposal is generally not an acceptable alternative for new small house development located within WGG.

3. PLANNING ANALYSIS

3.1. Strategic and Planning Contexts

- 3.1.1. The Area, located up in the hills and in the middle of the Ma On Shan Country Park, is part of the wider natural system of the Ma On Shan and Sai Kung countryside. It is a part of the Mui Tsz Lam and Mau Ping Priority Site for Enhanced Conservation under the New Nature Conservation Policy. Due to the high sensitivity of the Area and its surrounding Country Parks, the planning framework for the Area should fundamentally be the preservation of the rural setting of the natural environment. No large-scale development should be introduced in order to minimize encroachment

onto the sensitive environment and to protect and enhance ecological conservation.

- 3.1.2. According to the Landscape Value Mapping of Hong Kong (2005), Mau Ping covers 3 types of Landscape Characters Areas (LCAs), with a large portion within the 'Mau Ping Valley landscape', some portion of 'Pyramid Hill Peaks landscape' and small portion of 'Buffalo Hill Peaks landscape'. These LCAs are the major landscape characters for the section of Ma On Shan Country Park between Pak Kong and Ma On Shan, and are categorized as of high landscape and amenity value.

3.2. Environment and Conservation (Figure 9)

- 3.2.1 Encircled by the Ma On Shan Country Park, the Area is rural in character mainly comprising slopes, fallow agricultural land covered with grass, shrubs and some trees, woodlands and ruin houses. A pristine natural stream runs through the Area from south to north through Mui Tsz Lam to the Tolo Harbour.
- 3.2.2 The Area is covered with wide spread of native woodland known to support populations of rare plants, and insect/animal species of conservation interest, is of significant ecological and conservation importance. The Mau Ping SSSI, for the protection of rare tree species *Camellia* (紅皮糙果茶), *Neottopteris nidus* (巢蕨) and *Ailanthus fordii* (常綠臭椿), abuts the Area on the north.

3.3. Development Constraints (Figure 10)

Ecological Significance

- 3.3.1. The native woodlands in the Area are natural in character and are ecologically-linked with the Ma On Shan Country Park, and protected plant species, as well as a number of insect/animal species of conservation interest have been recorded in the Area. The Mau Ping *Fung Shui* Wood is in good condition and a number of species with conservation interest have been recorded therein. The natural stream with its tributaries running through the Area is of pristine water quality and supports a number of species of conservation interest.
- 3.3.2. From the nature conservation perspective, any direct or indirect impacts to the water quality along the stream and to the ecological resources throughout the Area, and developments that may adversely affect the general rural character and the adjacent ecologically sensitive areas should be avoided.

Landscape Character

- 3.3.3. The area of Mau Ping DPA includes the villages of Mau Ping, Mau Ping Lo Uk, Mau Ping San Uk and Wong Chuk Shan, and associated agricultural land, which is distributed along the stone paths and stream courses in the upper hillside woodland valley, enclosed by the Ma On Shan Country Park

between Sai Kung and Ma On Shan. The stone paths connect to the Maclehole Trail.

- 3.3.4. These LCAs are the major landscape characters for the section of Ma On Shan Country Park between Pak Kōng and Ma On Shan, and are categorized as of high landscape and amenity value. As there are no roads in the Mau Ping area, the landscape character maintains a remote, tranquil, enclosed and simple rural landscape.
- 3.3.5. Except for the *tsz tongs* that have recently been renovated near to Mau Ping San Uk, there are dilapidated village houses and abandoned agricultural lands on the man-made slope terraces in Mau Ping that are integrated with the surrounding landscape and topography. Large mature native trees of good health and tree form, with dense foliage and woodland plants underneath are widespread within the abandoned agricultural lands and village houses, having regenerated as mature secondary woodland. The woodland landscape is expansive and visually coherent with the surrounding Ma On Shan Country Park. There is a main stream and some seasonal tributaries from the top of the Buffalo Hill passing through the hillside abandoned agricultural lands to the lower level of Mau Ping valley, which is also a significant landscape resource serving the whole woodland of Mau Ping valley.
- 3.3.6. The landscape characters of Mau Ping are similar with adjacent Ma On Shan Country Park. The

woodland is extending into the hillside valley, which are rich and mature. Some parts of the woodland fall within/adjacent to the clusters of houses. From the landscape planning perspective, the landscape character of Mau Ping and adjacent landscape of Ma On Shan Country Park should be conserved, and in delineating the "V" zone, significant landscape resources should not be included and sufficient landscape buffer should be provided. Extensive development and associated road or utility infrastructure are considered not compatible with the surrounding landscape character. Furthermore, sufficient landscape buffer should be provided to the Mau Ping SSSI to preserve its landscape value.

Sewerage

- 3.3.7. There is no existing sewer or planned public sewer for the Area, and since the area is located within upper indirect WGG, for any new developments within WGG, impact assessment should be conducted and submitted to the Water Authority to demonstrate that the new development will not result in loss of yield and material increase in pollution risks to the water gathering grounds. Besides, should the septic tank and soakaway system (STS) for sewage treatment and disposal be used, the design and construction of on-site STS system need to comply with relevant standards and regulations to ensure that the design and construction of such systems will comply with relevant standards and regulations such those stated

above.

Site of Archaeological Interest and Cultural Heritage

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

Burial Ground

- 3.3.9. There is a large piece of permitted burial ground at the northeastern part of the Area. This has been in existence for many years, which is considered as an existing use and intended for burial places of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities within these zones are generally tolerated. The District Office (DO) is delegated with authority under the Public Health and Municipal Services Ordinance (Cap 132) to approve burial grounds outside gazetted cemeteries. Burial activities should be approved by DO and confined within the designated grounds and any encroachments onto the natural areas should be avoided.

Geotechnical

3.3.10. The geology of the subject area, as advised by the Head of Geotechnical Engineering Office, is summarized as follows :

(a) Mau Ping – the solid geology of the east of Mau Ping is composed mainly of coarse ash crystal tuff of Long harbor Formation. A northeast trending quartz monzonite dyke runs along Mau Ping San Uk and Mau Ping Lo Uk. The valley at Mau Ping is mainly covered by debris flow deposits and alluvium. Northeast trending and northwest trending faults are likely present below the hillside at Mau Ping.

(b) Wong Chuk Shan – the solid geology of the east of Wong Chuk Shan is mainly composed of coarse ash crystal tuff of Long Harbour Formation. To the west it is mainly composed of fine ash vitric tuff (Che Kwu Shan Formation), coarse ash crystal tuff (Mount Davis Formation) and *feldsparphyric rhyolite*. The valley at Wong Chuk Shan is mainly covered by debris flow deposits and alluvium. Northeast trending faults are likely present below the hillside at Wong Chuk Shan.

3.3.11. The subject area is located below steep natural hillside and may be affected by potential natural terrain hazards. As such, natural terrain hazard study and suitable hazard mitigation measures, if found necessary by the study, may be required for

any proposed development at the subject area.

3.3.12. There are existing man-made slopes and retaining walls falling within the concerned within the concerned area. If such existing man-made slopes or retaining walls could affect or be affected by any future development, or if their failure could affect lives and property within or outside the project site, investigations and studies of these slopes or retaining walls shall be submitted to GEO for checking.

3.4. Development Opportunities

Conservation Potential

3.4.1. Covered extensively with native woodland and having a pristine stream flowing through it, the Area is of significant ecological and conservation importance, as it sustains populations of rare plants, and species of amphibians, reptiles, and birds that of conservation interest. The Area is part of the Mui Tsz Lam and Mau Ping Priority Site for Enhanced Conservation under the New Nature Conservation Policy, and the tree species *Camellia crapnelliana* (紅皮糙果茶, Crapnell's Camellia), protected by the Mau Ping SSSI just outside the Area, are also found in the Area near the SSSI.

3.4.2. Furthermore, the Area is categorized as of high landscape and amenity value. The Area is therefore worthy of conservation while the scale of the village development should be compatible with the

rural setting and surrounding landscape. Any expansion of village development to the *Fung Shui* woodland, the heavily wooded slopes connected to the Ma On Shan Country Park, and the area near the Mau Ping SSSI is not recommended.

Tourism Potential (Figure 8)

- 3.4.3. The Pak Kong - Mui Tsz-Lam Trackway, which is a site of archaeological interest identified by the Antiques and Monuments Office, traverses the Area, connecting Ma On Shan with Sai Kung. The trackway is frequented by hikers and bird watchers.

3.5. Development Pressure

- 3.5.1. The recognized villages within the Area are Mau Ping and Wong Chuk Shan. District Lands Officer/Shau Tin (DLO/ST) and District Lands Officer/Sai Kung (DLO/SK) advise that the indigenous villagers of Mau Ping Village and Wong Chuk Shan Village have moved to Sai Kung decades ago, and settled in the Mau Ping New Village (MPNV) and Wong Chuk Shan New Village (WCSNV). DLO/SK advises that MPNV and WCSNV have their own village environs drawn for Small House developments, and his Office has all along been processing Small House applications from the villagers. Nevertheless, DLO/ST advises that Mau Ping and Wong Chuk Shan, the original villages within the Area, have their own village environs drawn for Small House

development, and if the villagers apply for Small House grants in the original villages, DLO/ST still has to process the applications.

- 3.5.2. There is, however, no outstanding Small House application in the original villages, and since no Village Representatives (VRs) were elected in the two villages in the VR Election of 2011, there are no 10-year Small House demand forecast figures.

3.6. Development Proposals Received in the Course of Preparation of the Plan

- 3.6.1. Since the gazettal of the draft DPA Plan on 26.8.2011, no planning proposals or planning applications have been received.
- 3.6.2. In the course of the preparation of the draft OZP, one planning proposal from the Kadoorie Farm & Botanic Garden Corporation (KFBG) has been received. KFBG states that the site is predominantly covered with mature secondary woodland. Plant diversity is high, and many rare plant species (e.g., *I. hongkongensis* and *C. caudata*) were found along the streams and some around village houses. Rare orchids including *Acampe rigida*, *Bulbophyllum kwangtungense*, *Cleisostoma cf. paniculatum* and *Ludisia discolor* can also be found along the streams. KFBG proposes that as such, the whole enclave should be covered by "CA" zoning, or even "Site of Special Scientific Interest" ("SSSI").

4. PLANNING PROPOSALS

4.1. The Outline Zoning Plan

4.1.1. The draft Mau Ping OZP (the Plan) prepared under section 3(1) of the Ordinance is to provide a statutory basis for planning control over the Area. It will supersede the approved Mau Ping DPA Plan No. DPA/ST-MP/2, which was exhibited for public inspection under section 9(5) of the Ordinance on 13.7.2012. Uses and development that are always permitted and those for which the Board's permission must be sought in various zones are set out in a schedule of Notes attached to the Plan. Also accompanying the Plan is an Explanatory Statement to assist an understanding of the Plan and to reflect the planning intentions and objectives of the Board for various land-use zonings.

4.2. Planning Objectives

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

- (a) to provide a comprehensive planning framework to guide the development on an integrated and co-ordinated basis;
- (b) to conserve high natural landscape and ecological significance of the Area in safeguarding the natural habitat and natural system of the wider area; and

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

4.3. Planning Principles

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

- (a) the Area is part of the wider natural system of the Ma On Shan countryside, and with a pristine stream flowing through it, it is covered with luxuriant vegetation and native woodland supporting populations of rare plant and fauna species of conservation interests. These habitats not only support a large number of flora and fauna in the Area, but also are ecologically-linked with the wide stretch of vegetation in the surrounding Ma On Shan Country Park. Besides, the landscape and amenity value of the Area is categorized. Due to its ecological interests, the rural setting and the natural landscape, the environment of the Area should be preserved and protected.
- (b) Small House development in recognized villages will be concentrated at suitable locations so as to preserve the rural character of the Area. Future development and redevelopment should also demonstrate such a low-rise characteristic and not to overtax the limited infrastructure.

4.4. Land Use Proposals (Figure 11)

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

4.4.2. Village Type Development (0.81 ha or 1.79%)

- (a) The planning intention of this zone is to designate both existing recognized villages and areas of land considered suitable for village expansion. 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 Board.
- (b) Mau Ping and Wong Chuk Shan are the recognized villages in the Area. The boundaries of the "V" zone are drawn up having regard to the village 'environs', the

number of outstanding Small House applications (if any), Small House demand forecast (if any), local topography and site constraints. Areas of difficult terrain, dense vegetation, stream courses and burial grounds have been avoided as far as possible.

- (c) According to DLO/ST, there is no outstanding Small House application for these villages, and as no VR was elected in the recent Village Representatives Election 2011, there are no 10-year forecasts of Small House demand reported.
- (d) PlanD has analyzed the conditions of the area within 'VE' taking account of the existing village cluster, environmental conditions and natural terrain and topography of the area. There are three village clusters within the Mau Ping 'VE' (Figure 10), and the main one is Mau Ping San Uk in the middle part of the Area, on the south side of the stream. It is uninhabited and mainly in ruins, except a *tsz tong* (Photos 5 - 7 of Figure 6b). There is a Fung Shui Wood behind (southwest) Mau Ping San Uk. On the northern side of the 'VE' and to the immediate southwest of the expanded SSSI, there is a single house compound called Mau Ping Lo Uk, mostly in ruin, and on the southeastern side of the 'VE', there is another single house (Photo 8 of Figure 6b) that has been inhabited until recently.

- (e) There are two village clusters within Wong Chuk Shan Village, lying separately on the two sides of the stream, all in ruins except a *tsz tong* (Photos 9 - 12 of Figure 6c).
- (f) According to DAFC, in general, the Area is covered with unfragmented secondary woodland that is ecologically-linked to the adjoining wooded area in the Ma On Shan Country Park. The natural stream with its tributaries running through the area is of pristine water quality and supports a number of species of conservation interest. The Mau Ping *Fung Shui* Wood is in good condition and a number of species with conservation interest have been recorded there.
- (g) Given the natural environment with conservation and landscape value coupled with its inaccessibility due to lack of vehicular access, and there are no outstanding Small House applications nor 10-demand forecasts of demand, an incremental approach for designation of "V" zone for Small House development has been adopted with an aim to consolidating Small House development at suitable locations so as to avoid undesirable disturbances to the natural environment and overtaxing the limited infrastructure in the Area. Discounting the surrounding environmentally sensitive areas, including the *Fung Shui* Wood, secondary woodland, the natural stream, which are separately zoned "CA" and "GB", the residual area would be about 0.81 ha of land occupied mainly the building lots within the existing village settlements (Figure 11), herewith proposed to be reserved zoned as "V" for Small House development. Within the proposed "V" zones, about 0.28 ha of land is available (or equivalent to about 11 Small House sites¹) (Table 1).
- (h) No new development, or addition alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23 m) or the height of the building which was in existence on the date of first publication in the Gazette of the notice of the draft DPA plan, whichever is the greater.
- (i) As diversion of streams or filling of pond may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.
- (j) There is no existing sewer or planned public sewer for the Area, and at present, each house is typically served with its own on-site STS system. In accordance with the Environmental, Transport and Works Bureau's Technical

¹ Available land (0.28 ha) x 40 = available Small House sites (11)

Circular (Works) No. 5/2005, under the current administrative practice, development proposals/submissions that may affect natural streams / rivers, the approving / processing authorities at various stages of the development should consult and collate comments from the DAFC and relevant authorities and incorporate relevant comments/advice as conditions of approval wherever possible. Also, for the protection of the water quality of the pristine stream, the design and construction of on-site STS system for any development proposals/submissions need to comply with relevant standards and regulations, such as EPD's ProPECC 5/93. Accordingly, LandsD when processing Small House grant and applications in close proximity to existing stream courses and the Marine Park, should consult concerned departments including EPD, AFCD and PlanD to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.

- (k) The Mau Ping area also falls entirely within the upper indirect WGG. For any village type development within the "V" zone, it should be demonstrated that the water quality within water gathering ground will not be affected by the proposals. In general, the use of septic tank and soakaway systems for sewage treatment and disposal is considered as an unacceptable means for new village

developments located in water gathering grounds. There should be demonstrably effective means (such as proper waste water treatment plant) to ensure that the effluent water quality is acceptable to concerned government departments.

- (l) GEO of the Civil Engineering and Development Department advises that the Area is located below steep natural hillside and may be affected by potential natural terrain hazards. As such, natural terrain hazard study and suitable hazard mitigation measures, if any, may be required for any proposed development. Besides, there are existing man-made slopes and retaining walls falling within the concerned within the concerned area. If such existing man-made slopes or retaining walls could affect or be affected by any future development, or if their failure could affect lives and property within or outside the project site, investigations and studies of these slopes or retaining walls shall be submitted to GEO for checking.

4.4.3. Green Belt ("GB") (38.88 ha or 85.90%)

- (a) The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development

within this zone.

- (b) The areas, comprising mainly natural vegetation, woodland, hillside shrubland and grassland, fallow agricultural land, natural streams, and a traditional burial ground, can serve as a buffer between any future Small House developments and the conservation area, as well as the Country Park. They would also help to conserve the high landscape and rural setting of the Area.
- (c) As diversion of streams, filling of land or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.
- (d) There is a general presumption against development within this zone. Development in this zone will be strictly controlled. Development proposals will be considered by the Board on individual merits taking into account the relevant Town Planning Board Guidelines. As diversion of streams, filling of land or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.

4.4.4. Conservation Area ("CA") (5.57 ha or 12.31%)

- (a) This zone is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such Country Park from the adverse effects of development. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.
- (a) The "CA" zoning covers the Mau Ping *Fung Shui* Wood behind the Mau Ping San Uk. It is in good condition and a number of species with conservation interest have been recorded therein. The zoning also covers a northern part of the Area where the protected tree species *Camellia crapnelliana* (紅皮糙果茶) are found. The AFCD has proposed to extend the existing Mau Ping SSSI to also cover this area, and works towards this designation is in progress.
- (b) New residential development is not permitted under this zone. Redevelopment of existing houses may be permitted on application to the Board. Diversion of streams, filling of

land/pond or excavation of land may cause adverse drainage impacts on adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activities.

- (c) Diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activities.

5. IMPLEMENTATION

Infrastructural Provisions

- 5.1. The Area is provided with electricity and telephone services. There are no potable water supply, sewerage and drainage systems in the Area, and there are no committed/planned sewerage and drainage systems for the Area. Any new development proposal should be required to demonstrate that no adverse drainage and sewage impact would be caused on the Area.

Statutory Development Control

- 5.2. The Plan provides a broad land-use framework for development control and implementation of planning proposals for the Area. More detailed plans will be

prepared as a basis for public works planning and private developments.

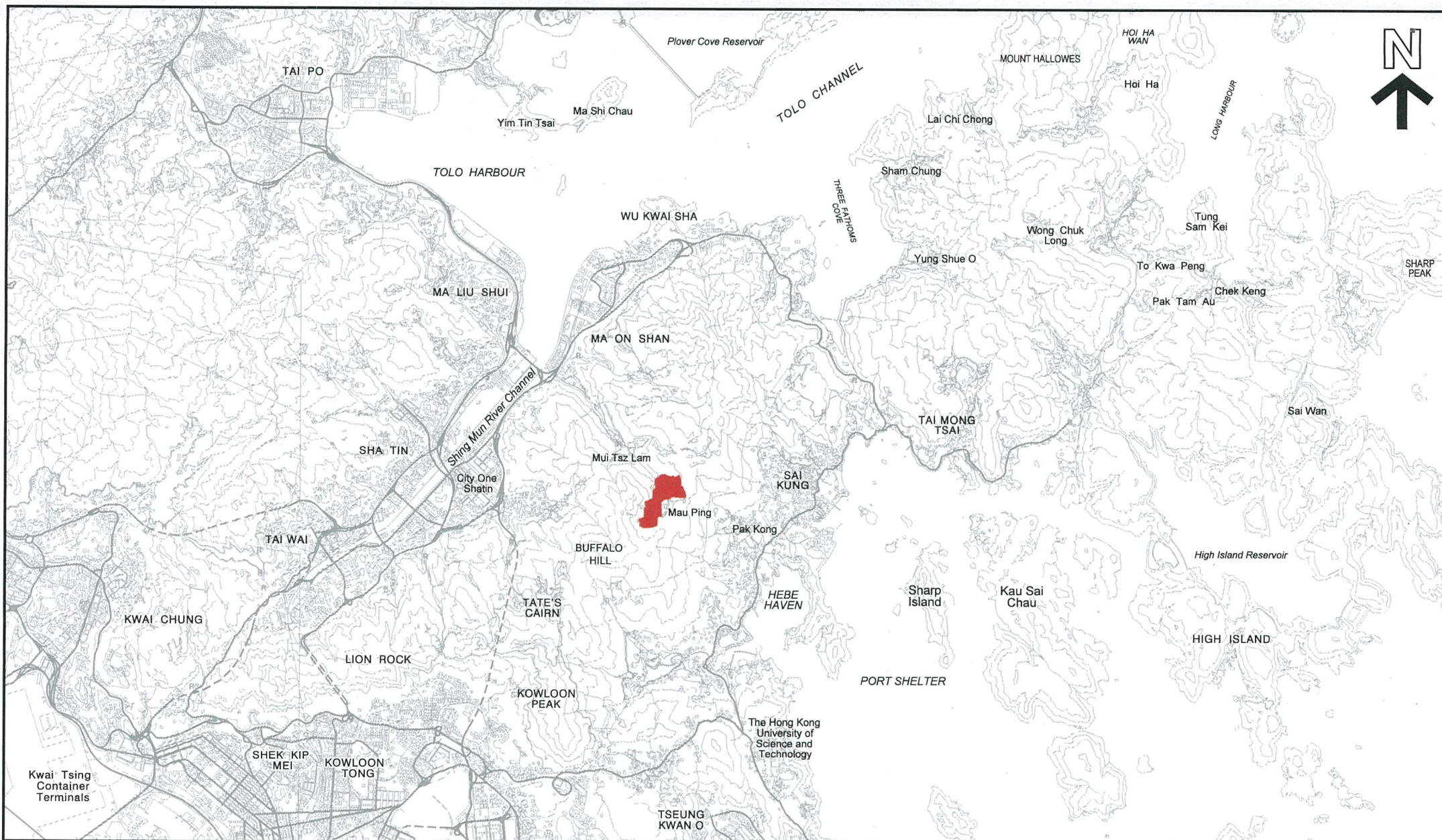
- 5.3. At present, there is no overall Programme for the provision of infrastructure within the Area. The implementation process will be gradual and may stretch over a long period of time depending on the availability of resources. It will be undertaken through the participation of both public and private sectors.
- 5.4. Notwithstanding the above, minor improvement works, e.g., access improvements and laying of roads, utility services installation and public works projects will be implemented through the Public Works Programme and the Rural Public Works Programme subject to priority and resource availability. Private developments will be effected principally through private sector initiatives in accordance with the zoned uses indicated on the Plan, provided that their proposals meet Government requirements.
- 5.5. Any development, other than those referred to in paragraph 5.1 above or in conformity with this Plan or with the permission of the Board, undertaken or continued on land included in this 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 and excavation of land in the relevant zones on or after the date of the first publication in the Gazette of the Notice of the draft DPA Plan without permission from the Board may also be subject to enforcement proceedings. Moreover, there is a presumption against filling of ponds

for temporary land uses/developments in conservation-related zonings, such as "CA".

PLANNING DEPARTMENT
APRIL 2014

Table 1: Small House Demand for Mau Ping and Wong Chuk Shan

Village	Small House Demand Figure in 2010		Small House Demand Figure in 2013		'VE' Area (ha) ('VE' Area in OZP)	"V" zone on draft OZP (ha)	Required land to meet new demand (ha)	Available Land to meet new demand figure (ha)	Percentage of the new demand met by available land
	Outstanding Demand	10-year forecast (2010 – 2019)	Outstanding Demand	10-year forecast (2013 – 2022)					
Mau Ping	NIL	NIL	NIL	NIL	16.66 (15.87)	0.41	NIL	0.12	NIL
Wong Chuk Shan	NIL	NIL	NIL	NIL	8.78 (7.85)	0.40	NIL	0.16	NIL
Total	NIL	NIL	NIL	NIL	25.44 (23.72)	0.81	NIL	0.28	NIL



 STUDY AREA

EXTRACT PLAN PREPARED ON 10.3.2014
BASED ON SURVEY SHEET SERIES HM100C

LOCATION PLAN

MAU PING

SCALE 1 : 10 000

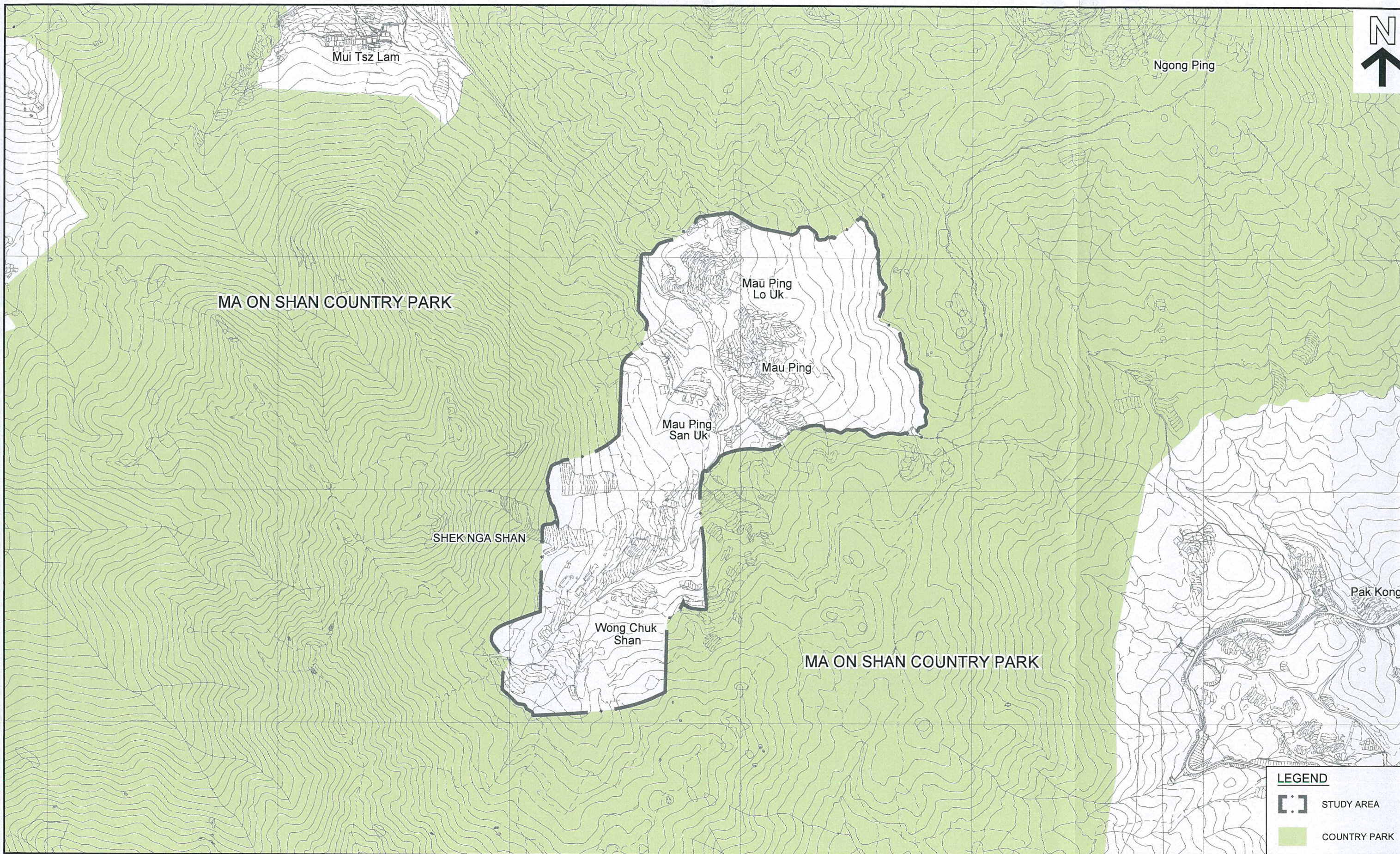
KILOMETRES 2 0 2 4 KILOMETRES

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REFERENCE No.
M/CPE/MP/14/2

FIGURE
1



LEGEND



STUDY AREA



COUNTRY PARK

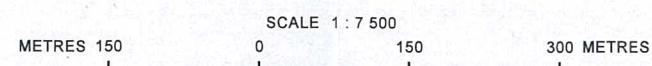
STUDY AREA

MAU PING

PLANNING DEPARTMENT

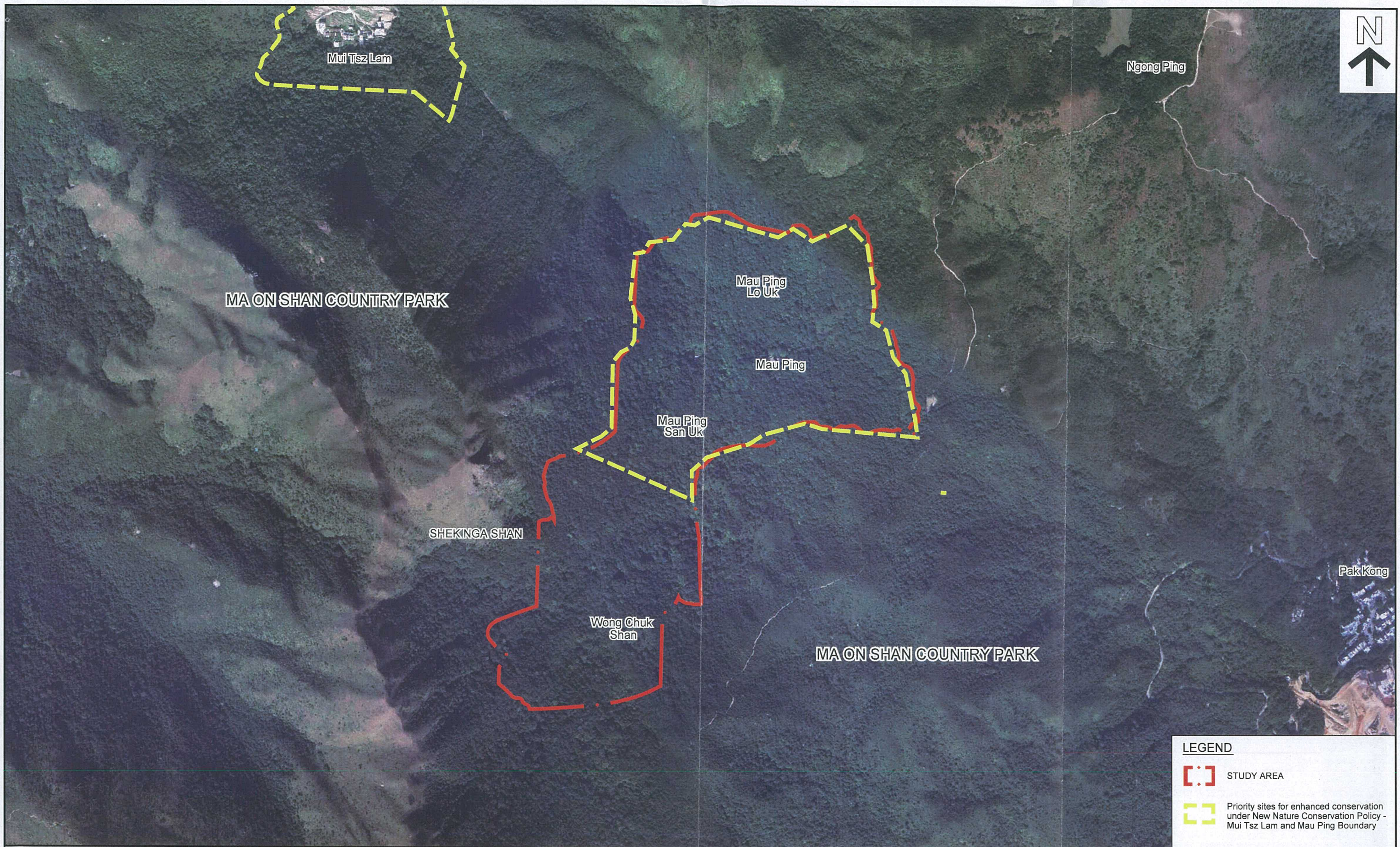


EXTRACT PLAN PREPARED ON 10.3.2014
BASED ON SURVEY SHEETS No. 7-SE-8C/D, 9C/D, 10C/D,
13A/B/C/D, 14A/B/C/D, 15A/B/C/D, 18A/B, 19A/B AND 20A/B



REFERENCE No.
M/CPE/MP/14/2

FIGURE
3



LEGEND

- [.] STUDY AREA
- [.] Priority sites for enhanced conservation under New Nature Conservation Policy - Mui Tsz Lam and Mau Ping Boundary

AERIAL PHOTOS

MAU PING

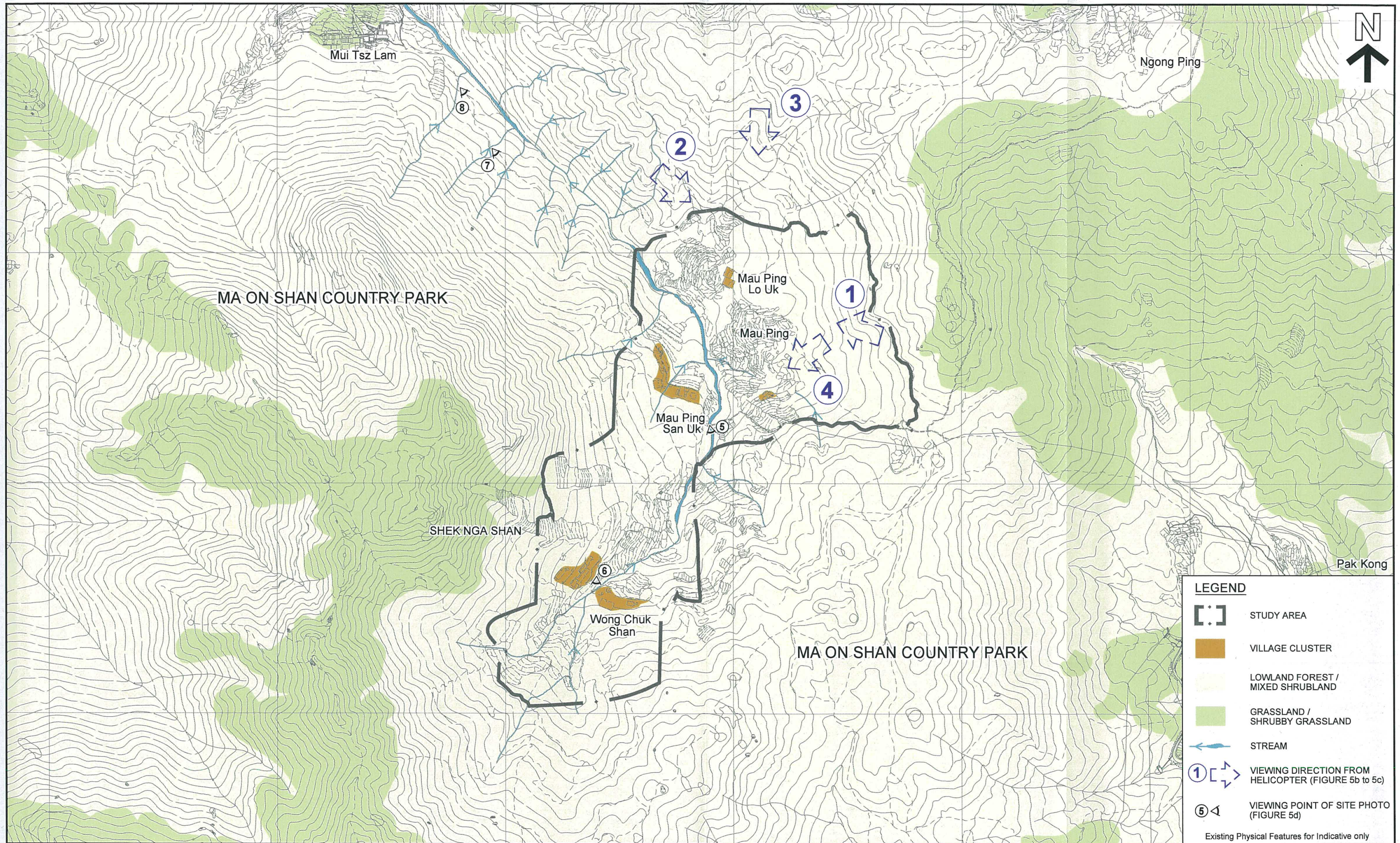
PLANNING DEPARTMENT



EXTRACT PLAN PREPARED ON 24.3.2014
 BASED ON AERIAL PHOTOS No.
 CW101318-20, CW101709 AND CW101711-12
 TAKEN ON 7.1.2013 BY LANDS DEPARTMENT

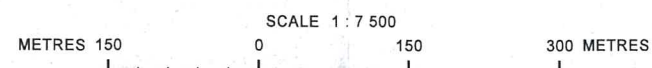
REFERENCE No.
 M/CPE/MP/14/2

FIGURE
 4



EXISTING PHYSICAL FEATURES

MAU PING



PLANNING DEPARTMENT



REFERENCE No.
M/CPE/MP/14/2

FIGURE
5a

EXTRACT PLAN PREPARED ON 28.3.2014
BASED ON SURVEY SHEETS No. 7-SE-8C/D, 9C/D, 10C/D,
13A/B/C/D, 14A/B/C/D, 15A/B/C/D, 18A/B, 19A/B AND 20A/B

1

SHA TIN AND MA ON SHAN

MA ON SHAN COUNTRY PARK

Mau Ping

2

SAI KUNG

MA ON SHAN COUNTRY PARK

Wong Chuk
Shan

Mau Ping

PHOTOS TAKEN FROM HELICOPTER

**SITE PHOTOS -
EXISTING PHYSICAL FEATURES**

MAU PING

**PLANNING
DEPARTMENT**



PLAN PREPARED ON 26.3.2014
BASED ON SITE PHOTOS
TAKEN ON 18.2.2013

REFERENCE No.
M/CPE/MP/14/2

FIGURE
5b



PHOTOS TAKEN FROM HELICOPTER

**SITE PHOTOS -
EXISTING PHYSICAL FEATURES**

MAU PING

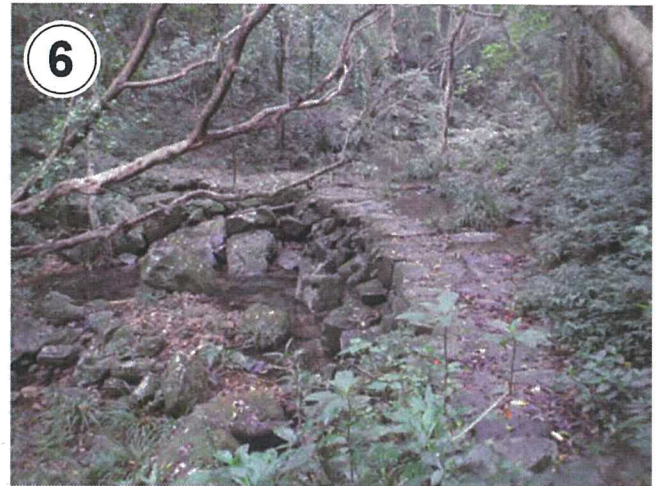
**PLANNING
DEPARTMENT**



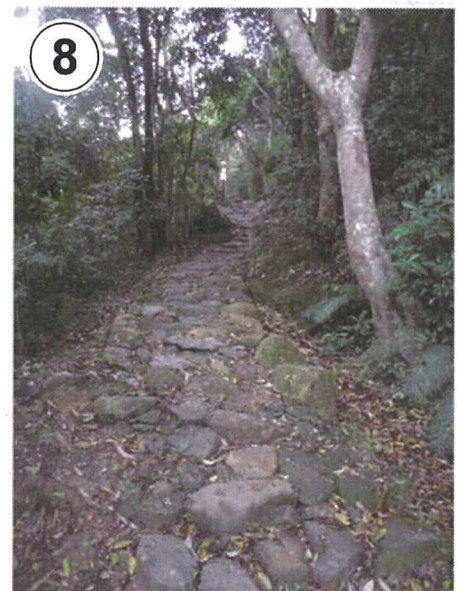
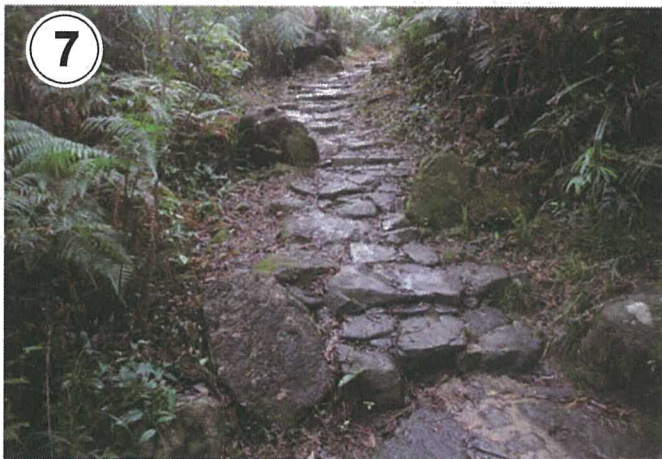
PLAN PREPARED ON 6.3.2014
BASED ON SITE PHOTOS
TAKEN ON 18.2.2013

REFERENCE No.
M/CPE/MP/14/2

FIGURE
5c



A NATURAL PRISTINE STREAM FLOWING FROM MAU PING VALLEY AND
SURROUNDING NATURAL ENVIRONMENT



PAK KONG - MUI TSZ LAM TRACKWAY

SITE PHOTOS -
EXISTING PHYSICAL FEATURES

MAU PING

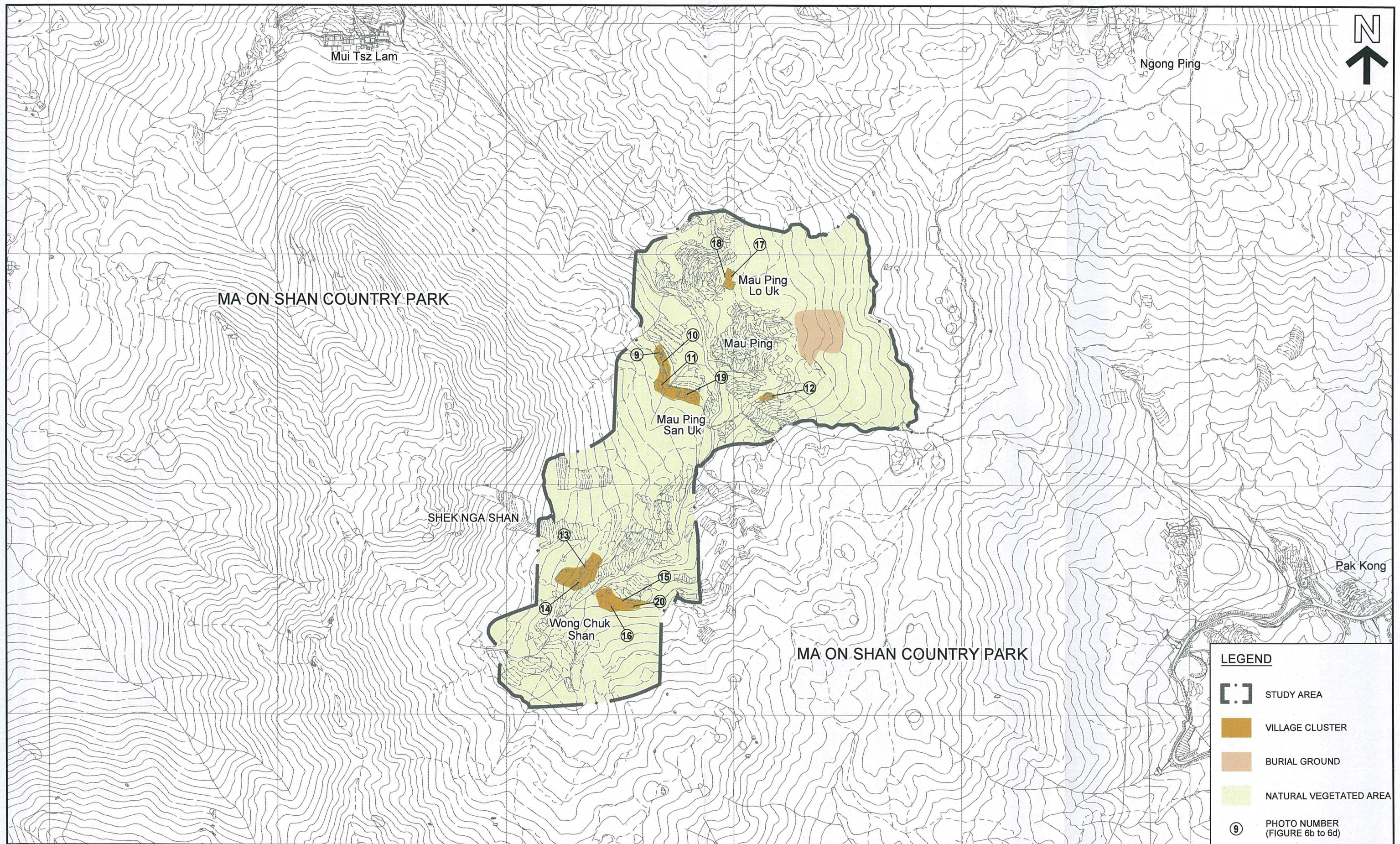
PLANNING
DEPARTMENT



PLAN PREPARED ON 26.3.2014
BASED ON SITE PHOTOS
TAKEN ON 5.3.2014

REFERENCE No.
M/CPE/MP/14/2

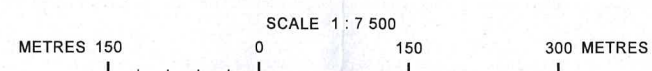
FIGURE
5d



EXISTING LAND USES

MAU PING

EXTRACT PLAN PREPARED ON 24.3.2014
 BASED ON SURVEY SHEETS No. 7-SE-8C/D,9C/D,10C/D,
 13A/B/C/D,14A/B/C/D,15A/B/C/D,18A/B,19A/B AND 20A/B



PLANNING DEPARTMENT



REFERENCE No.
M/CPE/MP/14/2

FIGURE
6a



VILLAGE HOUSES IN DILAPIDATED CONDITIONS AT MAU PING SAN UK



VILLAGE HOUSES IN DILAPIDATED CONDITIONS
AT MAU PING SAN UK

A VILLAGE HOUSE AT MAU PING

SITE PHOTOS -
EXISTING LAND USES

MAU PING SAN UK AND MAU PING

PLANNING
DEPARTMENT



PLAN PREPARED ON 26.3.2014
BASED ON SITE PHOTOS
TAKEN ON 15.6.2011 AND 5.3.2014

REFERENCE No.
M/CPE/MP/14/2

FIGURE
6b



VILLAGE HOUSES IN DILAPIDATED CONDITIONS AT WONG CHUK SHAN

SITE PHOTOS -
EXISTING LAND USES

WONG CHUK SHAN

PLANNING
DEPARTMENT



PLAN PREPARED ON 26.3.2014
BASED ON SITE PHOTOS
TAKEN ON 15.6.2011 AND 7.2.2014

REFERENCE No.
M/CPE/MP/14/2

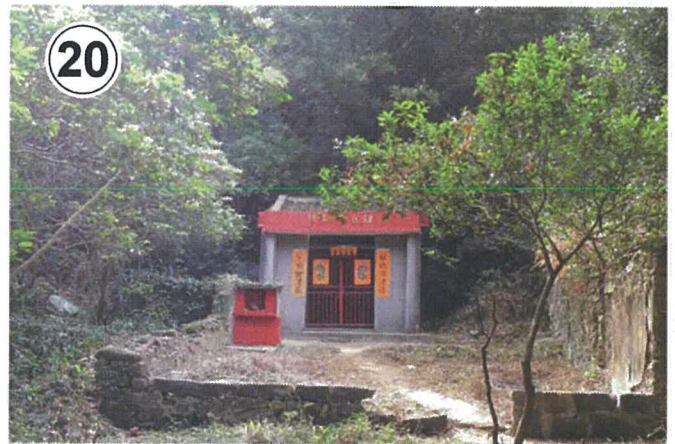
FIGURE
6c



VILLAGE HOUSES IN DILAPIDATED CONDITIONS AT MAU PING LO UK



ANCESTRAL HALL AT MAU PING SAN UK



ANCESTRAL HALL AT WONG CHUK SHAN

PLAN PREPARED ON 26.3.2014
BASED ON SITE PHOTOS
TAKEN ON 7.2.2014

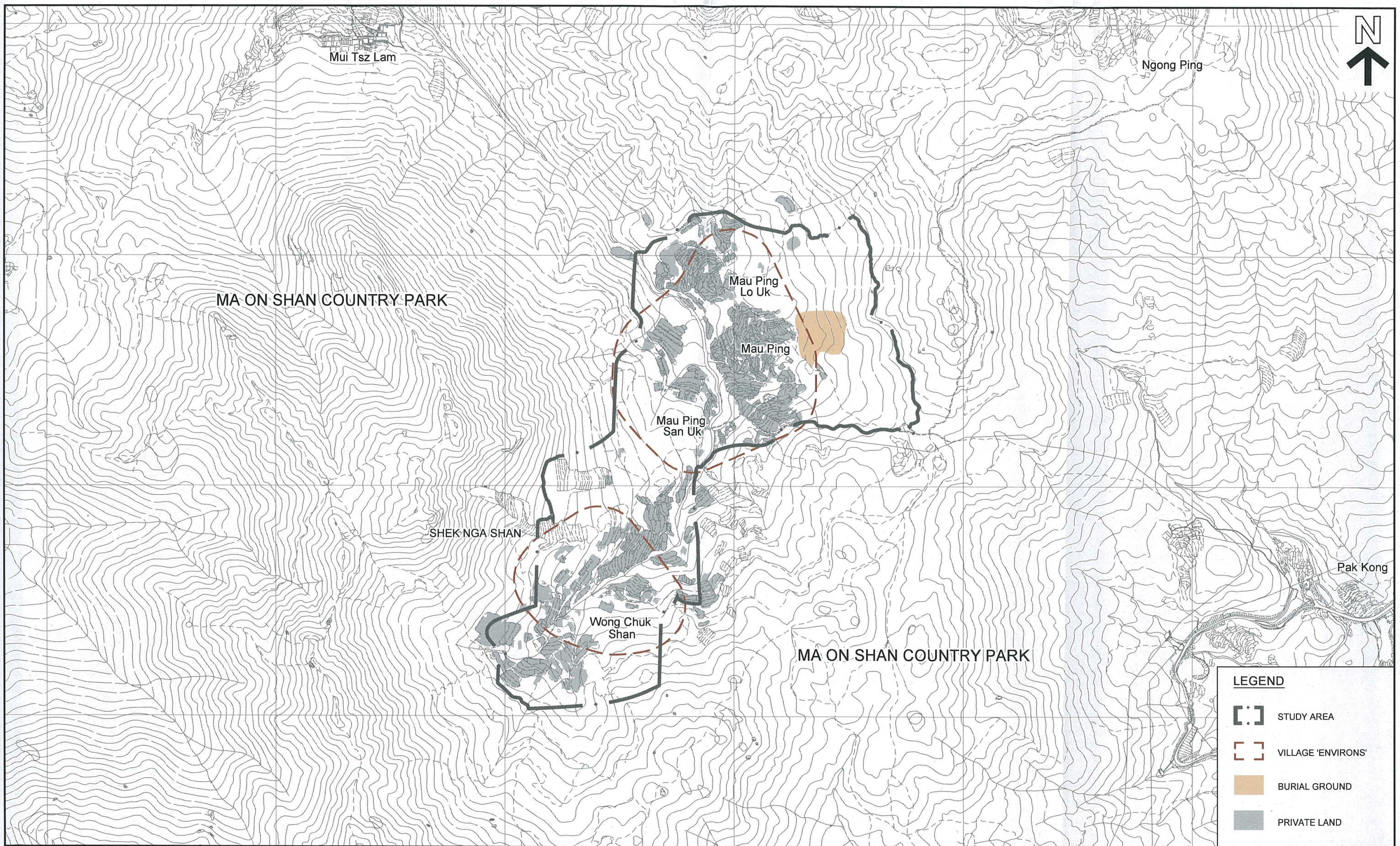
**SITE PHOTOS -
EXISTING LAND USES**
MAU PING LO UK , MAU PING SAN UK
WONG CHUK SHAN

PLANNING
DEPARTMENT



REFERENCE No.
M/CPE/MP/14/2

FIGURE
6d



LAND OWNERSHIP AND VILLAGE 'ENVIRONS'

MAU PING

EXTRACT PLAN PREPARED ON 14.3.2014
 BASED ON SURVEY SHEETS No. 7-SE-8C/D, 9C/D, 10C/D,
 13A/B/C/D, 14A/B/C/D, 15A/B/C/D, 18A/B, 19A/B AND 20A/B

SCALE 1 : 7 500

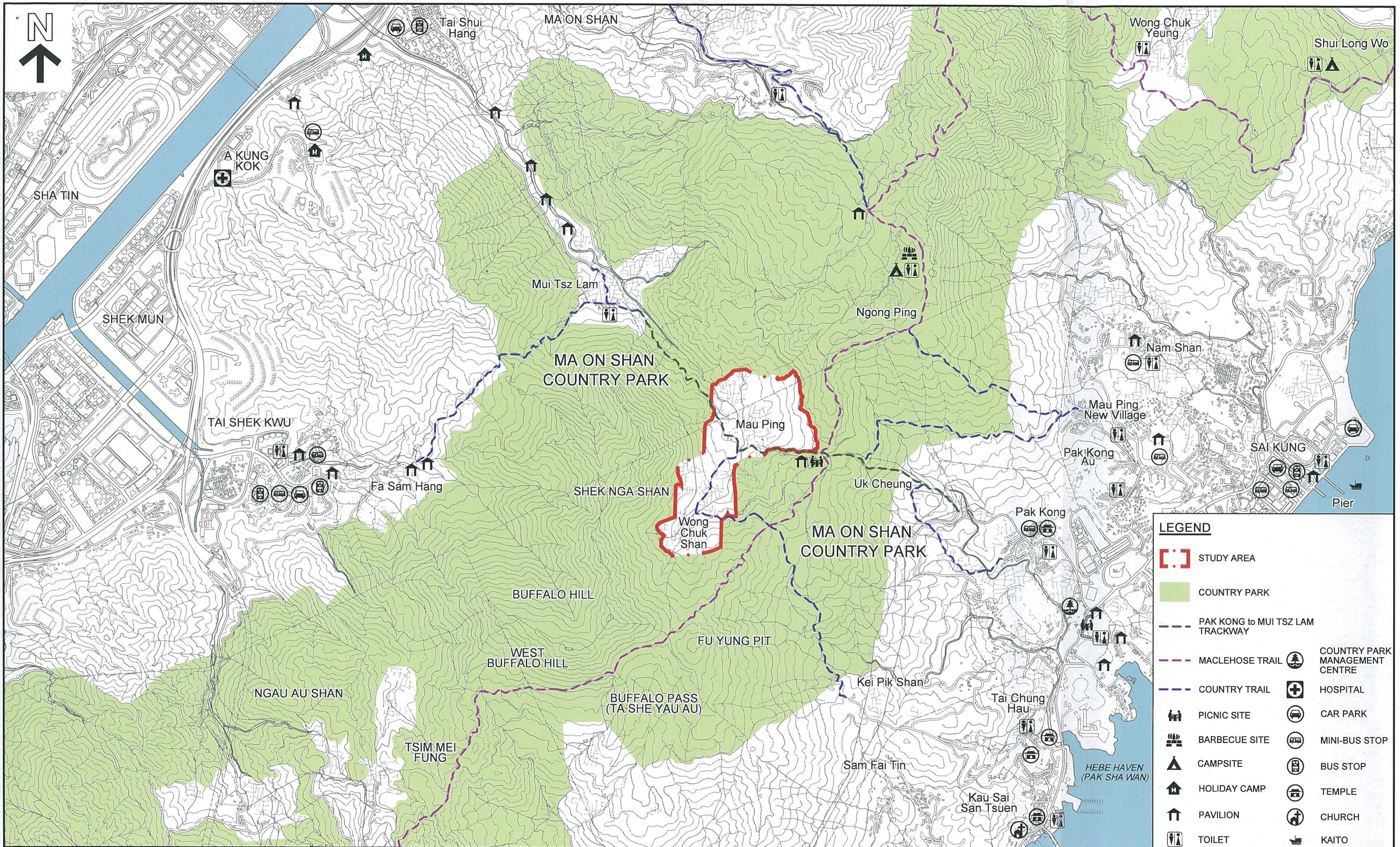
METRES 150 0 150 300 METRES

PLANNING DEPARTMENT



REFERENCE No.
M/CPE/MP/14/2

FIGURE
7



EXISTING GIC, INFRASTRUCTURAL AND TOURISM-RELATED FACILITIES

MAU PING

SCALE 1 : 20 000
METRES 400 0 400 800 METRES

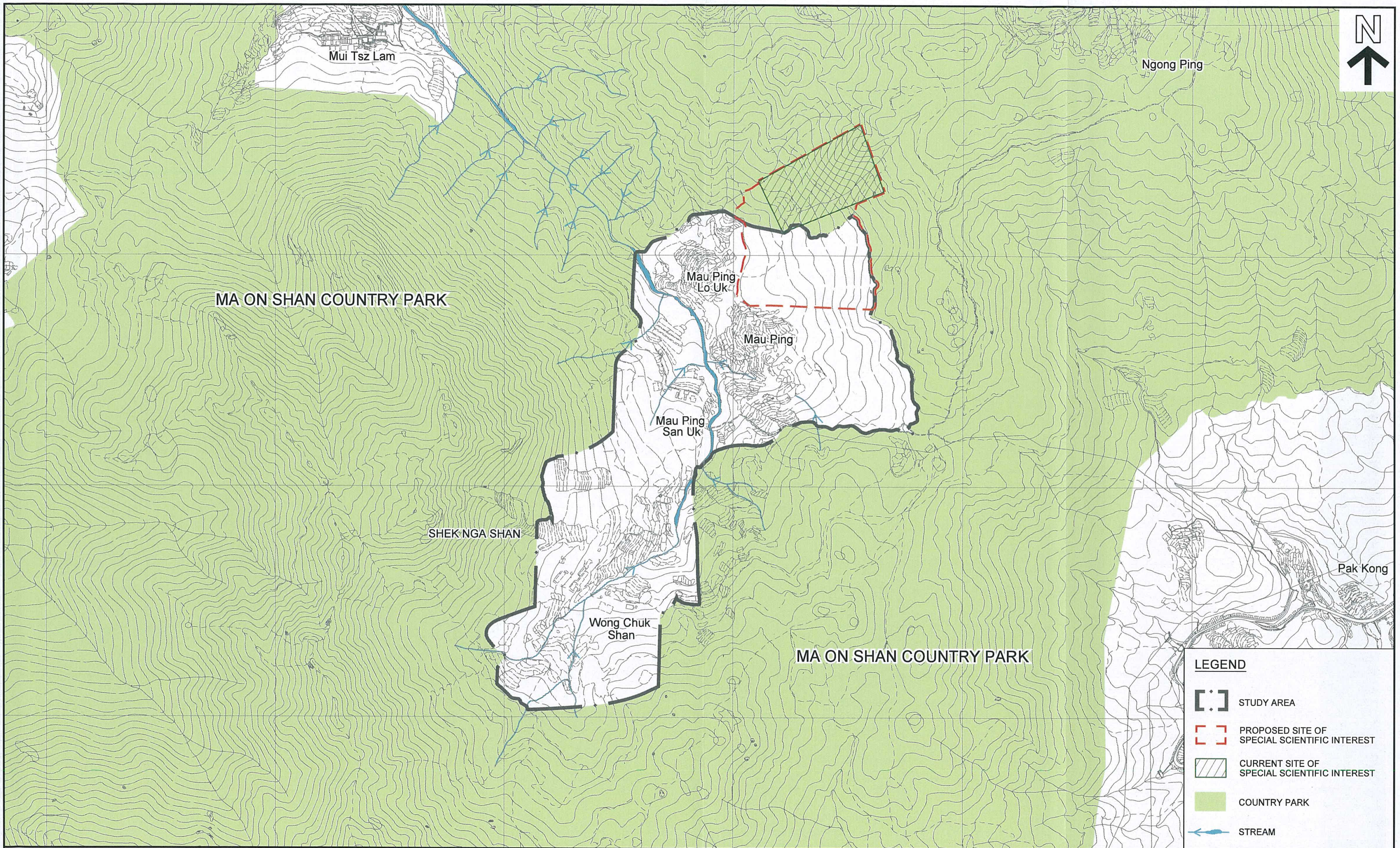
PLANNING DEPARTMENT



REFERENCE No.
M/CPE/MP/14/2

FIGURE
8

EXTRACT PLAN PREPARED ON 26.3.2014
BASED ON SURVEY SHEETS No. 7-SE AND 8-SW



ECOLOGICAL RESOURCES

MAU PING

EXTRACT PLAN PREPARED ON 27.3.2014
 BASED ON SURVEY SHEETS No. 7-SE-8C/D, 9C/D, 10C/D,
 13A/B/C/D, 14A/B/C/D, 15A/B/C/D, 18A/B, 19A/B AND 20A/B

SCALE 1 : 7 500

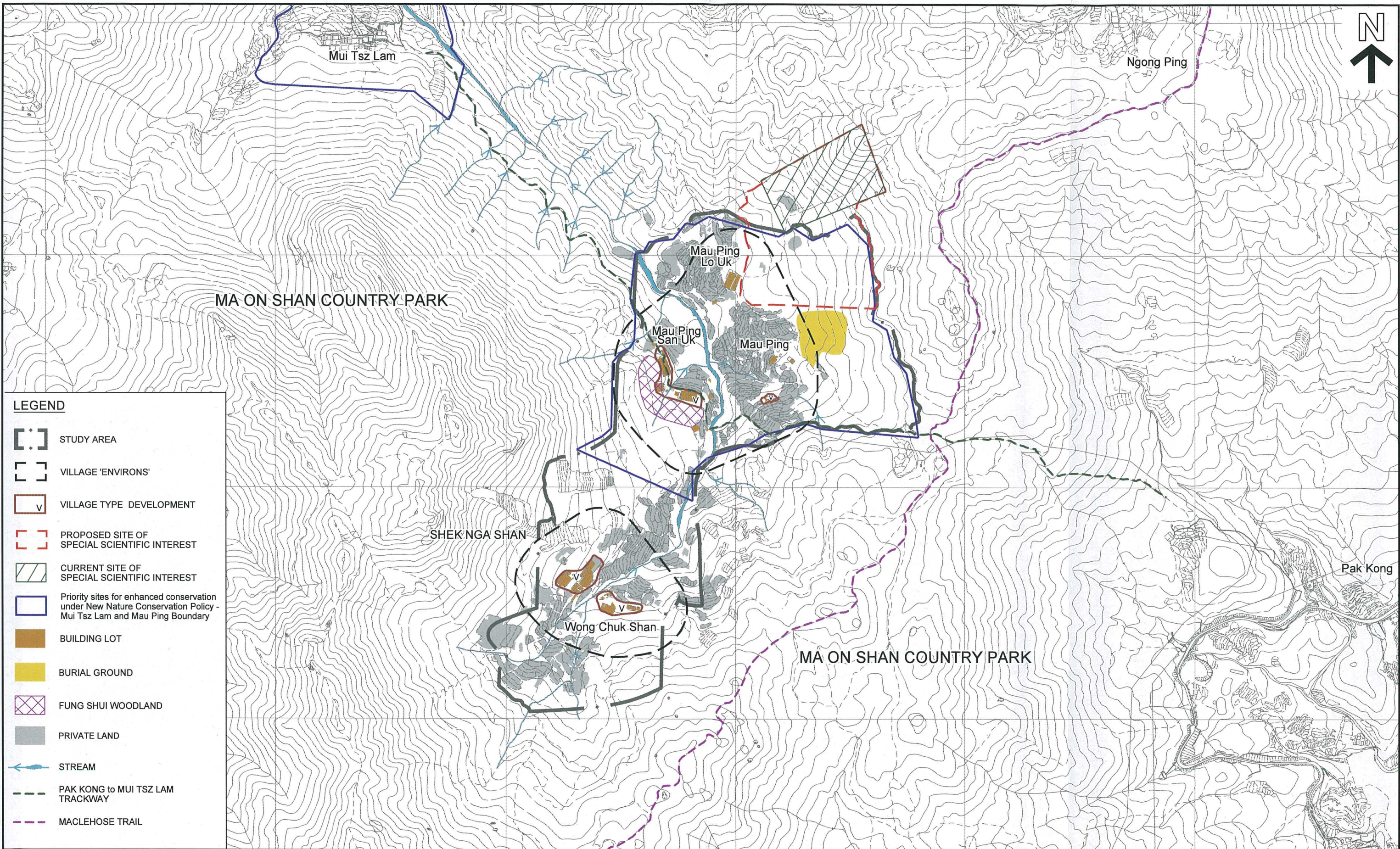
METRES 150 0 150 300 METRES

PLANNING DEPARTMENT



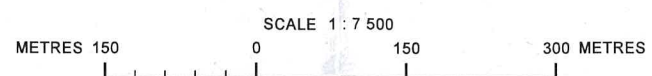
REFERENCE No.
 M/CPE/MP/14/2

FIGURE
 9



DEVELOPMENT CONSTRAINTS

MAU PING



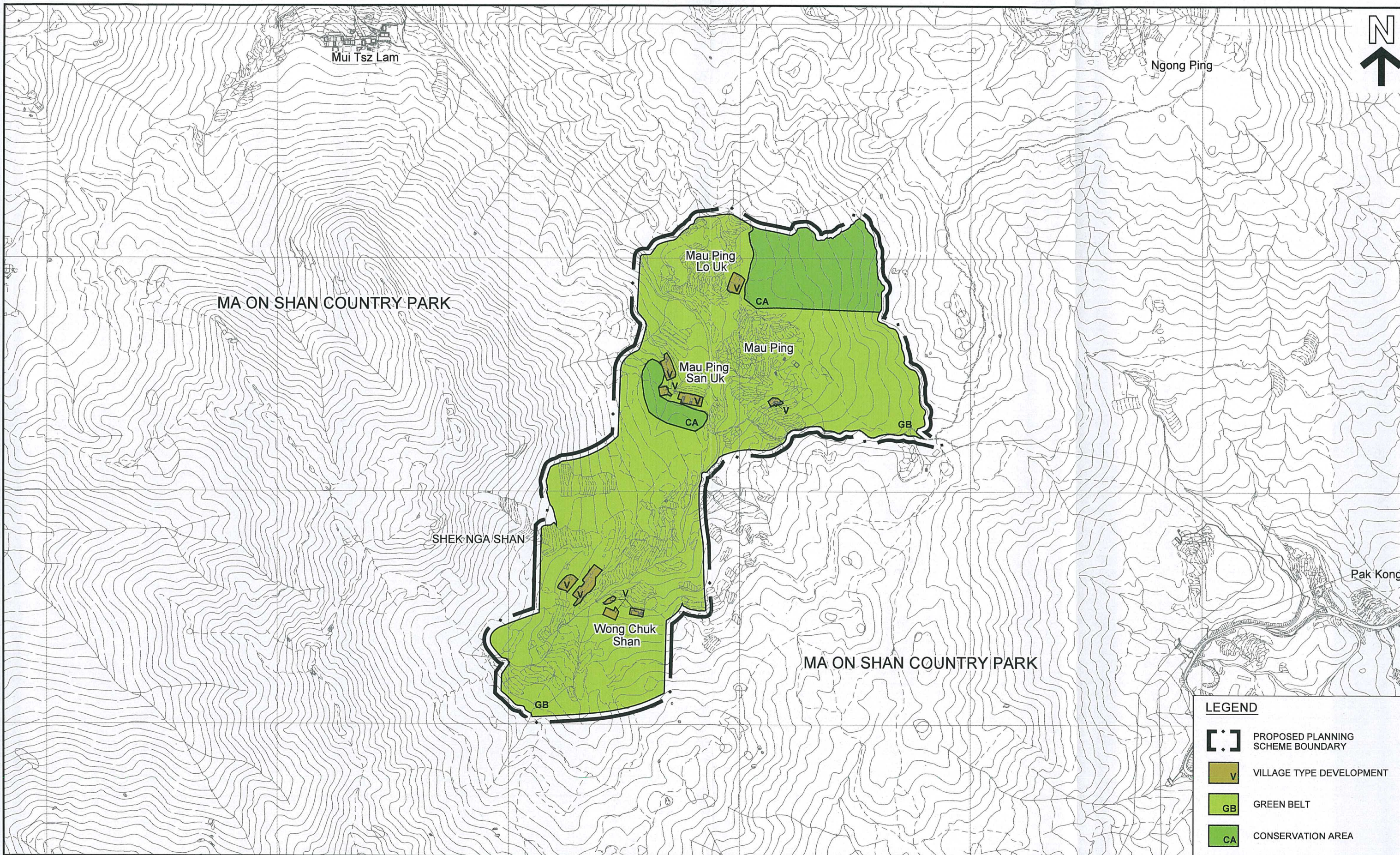
PLANNING DEPARTMENT



REFERENCE No.
M/CPE/MP/14/2

FIGURE
10

EXTRACT PLAN PREPARED ON 28.3.2014
BASED ON SURVEY SHEETS No. 7-SE-8C/D,9C/D,10C/D,
13A/B/C/D,14A/B/C/D,15A/B/C/D,18A/B,19A/B AND 20A/B



LEGEND



PROPOSED PLANNING SCHEME BOUNDARY



VILLAGE TYPE DEVELOPMENT



GREEN BELT



CONSERVATION AREA

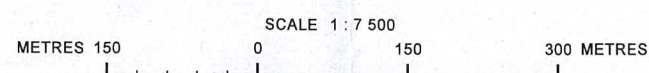
PROPOSED LAND USES

MAU PING

PLANNING DEPARTMENT



EXTRACT PLAN PREPARED ON 31.3.2014
BASED ON SURVEY SHEETS No. 7-SE-8C/D, 9C/D, 10C/D,
13A/B/C/D, 14A/B/C/D, 15A/B/C/D, 18A/B, 19A/B AND 20A/B



REFERENCE No.
M/CPE/MP/14/2

FIGURE
11

Mau Ping (Ma On Shan Country Park Enclave)

A botanical survey was carried out in this Enclave on 12 February 2014. Plants along the transect (mainly along the existing footpath and also some watercourses) were recorded and identified to the lowest possible taxon. According to our botanists, the site is predominantly covered with mature secondary woodland with high plant diversity.

A total of 310 plant species were recorded, including 10 plant species of conservation concern; these ten species and their conservation status are listed in the table below, and their locations are shown in **Figure 12**.

Species name	Chinese name	Conservation status
<i>Alsophila podophylla</i>	黑桫欏	- Protected under Forests and Countryside Ordinance, Cap. 96. ¹ - Listed as Rare and Precious Plants of Hong Kong by AFCD ²
<i>Aquilaria sinensis</i>	土沉香	- Listed as Rare and Precious Plants of Hong Kong by AFCD ²
<i>Artocarpus hypargyreus</i>	白桂木	- Listed as Rare and Precious Plants of Hong Kong by AFCD ²
<i>Camellia caudata</i>	長尾毛蕊茶	- Protected under Forests and Countryside Ordinance, Cap. 96. ¹
<i>Camellia crapnelliana</i>	紅皮糙果茶	- Protected under Forests and Countryside Ordinance, Cap. 96. ¹ - Listed as Rare and Precious Plants of Hong Kong by AFCD ²
<i>Goodyera procera</i>	高斑葉蘭	- Protected under Forests and Countryside Ordinance, Cap. 96. ¹
<i>Gymnosphaera</i> sp.	桫欏屬	- Protected under Forests and Countryside Ordinance, Cap. 96. ¹
<i>Impatiens hongkongensis</i>	香港鳳仙	- Protected under Forests and Countryside Ordinance, Cap. 96. ¹ - Listed as Rare and Precious Plants of Hong Kong by AFCD ²
<i>Liparis nervosa</i>	見血青	- Protected under Forests and Countryside Ordinance, Cap. 96. ¹
<i>Pavetta hongkongensis</i>	香港大沙葉	- Protected under Forests and Countryside Ordinance, Cap. 96. ¹

1. http://www.afcd.gov.hk/english/conservation/conservation/conservation_for/conservation_for.html

2. http://www.hkherbarium.net/herbarium/html%a20text/Rare%20plant_table.htm

Many of the rare plant individuals (e.g., *I. hongkongensis* and *C. caudata*) were found along the streams (**Figure 12**); some streams are seasonal and cannot be shown in **Figure 12**. The latter species could also be found around some village houses.

In addition to the plant species of conservation interest listed above, our senior botanist has also recorded four rare orchids in this area; they are *Acampe rigida*, *Bulbophyllum kwangtungense*, *Cleisostoma* cf. *paniculatum* and *Ludisia discolor*. Their conservation status, according to Barretto *et al.* (2011), is listed in the table below.

Name	Conservation status in Hong Kong
<i>Acampe rigida</i>	Near Threatened
<i>Bulbophyllum kwangtungense</i>	Endangered
<i>Cleisostoma</i> cf. <i>paniculatum</i>	<i>Cleisostoma paniculatum</i> is considered to be Critically Endangered in Hong Kong

Name	Conservation status in Hong Kong
<i>Ludisia discolor</i>	Endangered

The locations of these species are not shown in this document as they are rare and suffering from illegal collection. We can only say that they can be found along the streams (both permanent and seasonal) in the area.

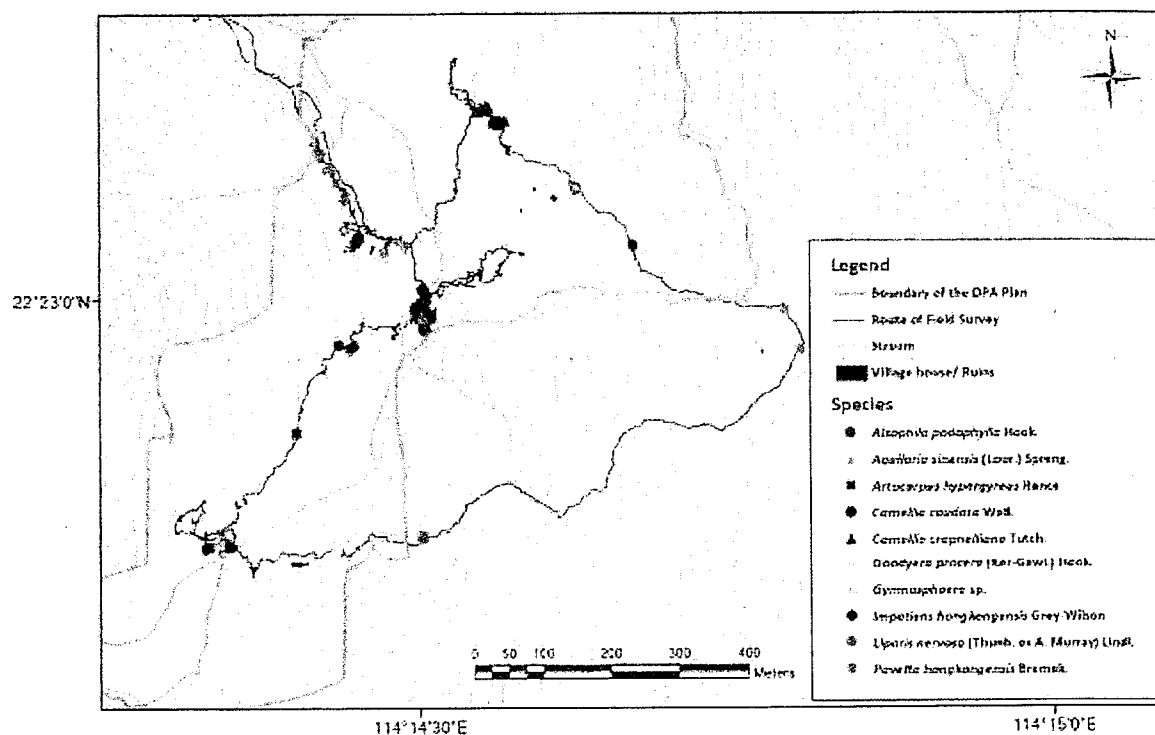
Overall, we consider that the whole Enclave should be covered with CA, or even SSSI. Indeed, the Mau Ping area already contains a SSSI due to its high botanical diversity.

References

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Figure 12. Locations of rare plants observed at Mau Ping

Rare Plants Observed at Mau Ping by KFBG



**Planning Assessments on the Development Proposals
Received in the Course of Preparation of the Plan**

Introduction

1. On 21.2.2014, The Kadoorie Farm & Botanic Garden Corporation (KFBG) submitted a proposal titled “Mau Ping (Ma On Shan Country Park Enclave)” to the Planning Department (PlanD) regarding conservation proposal for the Mau Ping Outline Zoning Plan area (the Area). KFBG states that the site is predominantly covered with mature secondary woodland. Plant diversity is high, and many rare plant species (e.g., *I. hongkongensis* and *C. caudata*) were found along the streams and some around village houses. Rare orchids including *Acampe rigida*, *Bulbophyllum kwangtungense*, *Cleisostoma cf. paniculatum* and *Ludisia discolor* can also be found along the streams. KFBG proposes that as such, the whole enclave should be covered by “Conservation Area” (“CA”) zoning, or even “Site of Special Scientific Interest” (“SSSI”).

Planning Assessment

2. The native woodlands in the Area are natural in character and are ecologically-linked with the Ma On Shan Country Park, and protected plant species, as well as a number of insect/animal species of conservation interest have been recorded in the Area. The Mau Ping *Fung Shui* Wood is in good condition and a number of species with conservation interest have been recorded therein. A pristine stream flows through the Area from south to north down to Mui Tsz Lam, and being sheltered from extreme weathers and hydrological conditions, it is covered with luxuriant vegetation.
3. On the other hand, Mau Ping and Wong Chuk Shan are the recognized villages in the Area. When considering the representations on 8.4.2011, the Board noted that there was a need to strike a balance between environmental conservation and sustainable development of the Area. Detailed land use zonings would be worked out during the OZP stage taking account of the representers’ proposals and the results of relevant technical assessments/studies in various aspects including ecology, archaeological interest, traffic, sewerage, landscape and geotechnical, etc.

Environmental and Conservation Considerations

4. The ecological and conservation importance of the Area is due largely to the native woodland harboring large populations of rare plants, such as *Euonymus kwangtungensis* (長葉衛矛), *Xylosma longifolium* (長葉柞木), *Camellia crapnelliana* (紅皮糙果茶), *Tropidia curculigoides* (仙茅竹莖蘭) and *Litsea greenmaniana* (華南木薑子). In terms of fauna, some species of conservation interest are also recorded, for example, amphibians (*Amolops hongkongensis*) (香

港湍蛙), *Paa exilispinosa* (小棘蛙), *Paramesotriton hongkongensis* (香港瘰螈), *Xenophrys brachykolos* (短腳角蟾)), reptiles (*Bungarus multicinctus* (銀環蛇)) and birds (*Accipiter trivirgatus* (鳳頭鷹), *Aquila fasciata* (白腹隼鷂), *Centropus bengalensis* (小鴉鵂), *Spilornis cheela* (蛇鵂)). The Fung Shui Wood behind Mau Ping San Uk forms part of this woodland habitat.

5. The tree species *Camellia crapnelliana* (紅皮糙果茶) is a very rare local tree species found only from Mau Ping Valley and Mt. Parker. The species was listed as vulnerable in the 2012 IUCN Red List of Threatened Species and the China Plant Red Data Book. All native *Camellia* in Hong Kong are protected under the Forestry Regulations, subsidiary legislation of the Forests and Countryside Ordinance (Cap. 96). In recent years, the *Camellia crapnelliana* has spread further, particularly southward, into a northern part of the Area.
6. From the nature conservation perspective, any direct or indirect impacts to the water quality along the stream and to the ecological resources throughout the Area, and developments that may adversely affect the general rural character and the adjacent ecologically sensitive areas should be avoided.

Conservation Zonings

7. From the nature conservation perspective, any direct or indirect impacts to the water quality along the stream and to the ecological resources throughout the Area, and developments that may adversely affect the general rural character and the adjacent ecologically sensitive areas should be avoided. Therefore, the Fung Shui Wood as well as the northern part of the Area where *Camellia crapnelliana* (紅皮糙果茶) are found are proposed to be zoned "CA". The AFCD has proposed to extend the boundary of the Mau Ping SSSI to the north southward to also cover the northern part of the Area, so as to better protect the population of *Camellia crapnelliana* found in this area. The designation of the extended SSSI boundary is in progress. The secondary woodland and stream are zoned "Green Belt" ("GB") to protect the ecologically sensitive areas and the rural setting of the Area.

Village Development

8. Since Mau Ping and Wong Chuk Shan are the two recognized villages in the Area, there is a need to reflect the existing villages. Given the natural environment with conservation and landscape value coupled with its inaccessibility due to lack of vehicular access, and there are no outstanding Small House applications nor 10-demand forecasts of demand, an incremental approach for designation of "V" zone for Small House development has been adopted with an aim to consolidating Small House development at suitable locations so as to avoid undesirable disturbances to the natural environment and overtaxing the limited infrastructure in the Area. Discounting the surrounding environmentally sensitive areas, including the Mau Ping SSSI, Fung Shui Wood, secondary woodland, the natural stream which are zoned "CA" and "GB", the residual area would be the areas occupied mainly by building lots in the village clusters consisting of ruins and abandoned houses.

9. There is no existing sewer or planned public sewer for the Area, and at present, each house is typically served with its own on-site septic tank and soakaway system (STS) system. In accordance with the Environmental, Transport and Works Bureau's Technical Circular (Works) No. 5/2005, under the current administrative practice, development proposals/submissions that may affect natural streams / rivers, the approving / processing authorities at various stages of the development should consult and collate comments from the DAFC and relevant authorities and incorporate relevant comments/advice as conditions of approval wherever possible. Also, for the protection of the water quality of the pristine stream, the design and construction of on-site STS system for any development proposals/submissions need to comply with relevant standards and regulations, such as EPD's ProPECC 5/93. Accordingly, LandsD when processing Small House grant and applications in close proximity to existing stream courses and the Marine Park, should consult concerned departments including EPD, AFCD and PlanD to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.
10. In addition, the Mau Ping area also falls entirely within the upper indirect WGG. For any village type development within the "V" zone, it should be demonstrated that the water quality within WGG will not be affected by the proposals. In general, the use of septic tank and soakaway systems for sewage treatment and disposal is considered as an unacceptable means for new village developments located in WGGs. There should be demonstrably effective means (such as proper waste water treatment plant) to ensure that the effluent water quality is acceptable to concerned government departments.

From: KFBG EAP <eap@kfbg.org>
To: dymng@pland.gov.hk,
Cc: ckho@pland.gov.hk, epkleee@pland.gov.hk, pmyho@pland.gov.hk
Date: 23/06/2014 13:45
Subject: RE: Replacement of DPA Plans by OZPs - Lai Chi Wo, Siu Tan, Sam A Tsuen & Mau Ping

Dear David,

Thank you for your email dated 28 May 2014.

You should have received our comments regarding the ecological importance of Lai Chi Wo, Siu Tan, Sam A Tsuen and Mau Ping earlier this year (please see attached pdf, sent on 21 Feb 2014).

Regarding your email dated 28 May 2014 and the draft OZPs of these places, I will further provide our preliminary views to you as below and attached.

1. Lai Chi Wo
Problems observed:

a. Please note that the proposed V zone would cover the Fung Shui Woodland behind the Lai Chi Wo village (please compare Figure 1 in the attached pdf with the draft OZP; Figure 1 is the habitat map extracted from the Sha Tau Kok Linkage Study by PlanD).

b. Please note that the proposed V zones will cover part of the riparian zones at Lai Chi Wo, Ko Tong and Mui Tsz Lam (please compare Figure 2 in the attached pdf with the draft OZP; the lower stream section is just next to the V zone of Lai Chi Wo, and the riparian zones of some upper tributaries of the Lai Chi Wo Stream system are just next to the V zones at Mui Tsz Lam and Kop Tong).

c. Please refer to this link to observe the flooding event appearing at Lai Chi Wo this year (<https://www.facebook.com/photo.php?v=403143439827722> <<https://www.facebook.com/photo.php?v=403143439827722&set=vb.450283798347974&type=2&theater>> &set=vb.450283798347974&type=2&theater). The approximate location shown in this video would be covered with the proposed V zone (near to the square in front of the existing Lai Chi Wo village). This video shows that it is absolutely not appropriate to have houses built close to the Lai Chi Wo Stream from a human safety perspective. Also, as mentioned in our previous comments regarding other enclaves, septic tank and soak away pit system does not work in areas prone to flooding. Overall, the conclusion is zones allowing new houses to be built (e.g., V zone) should not be placed close to the stream, from safety and water quality protection perspectives; there should be setback distance. The area should be covered with other zonings.

d. Please note that the lower section of the stream is covered with AGR zone now. We are highly concerned that it would be culverted (as in the case at Tong To, Sha Tau Kok; please see attached photo entitled STK) and no enforcement action can be taken. In the case of Sha Tau Kok, as shown in the attached photo, the stream was blocked and only a concrete pipe was placed into the stream to keep it flowing. Based on the video above, we predict that if the culverting shown in the Sha Tau Kok case appears in the stream section in the AGR zone of Lai Chi Wo, the flooding risk of area would be greatly increased. We have asked the PlanD's Enforcement Team to follow up the Sha Tau Kok case but no action could be taken to rectify the situation, because it was not classified as stream diversion. We are highly concerned that the stream in the AGR (and also other) zone at Lai Chi Wo would receive the culverting impact.

e. Please note that the fish *Anguilla japonica* appearing at Lai Chi Wo Stream mentioned in our pdf file has recently become Globally Endangered (<http://www.iucnredlist.org/details/166184/0>), and based on the preliminary result of the Hong Kong redlisting process under the BSAP coordinated by the HK Government, this species is also highly likely to be considered as Endangered in Hong Kong. This is a migratory species and needs to move between the sea and the stream. Thus any obstacles (e.g., a concrete pipe) placed in the stream (their migratory route) would greatly affect this species. Besides this species, another diadromous species called Orange Peacock Puffer also appears in this stream. We thus urge that the stream and the riparian zones should be covered with conservation zonings. Indeed, this stream is also designated as an EIS as we do not understand why the conservation zonings applied to other EISs (like CA to So Lo Pun EIS and GB(1) to Lin Ma Hang EIS) do not apply to it. A holistic (and consistent) view should be adopted here.

f. The enclave is largely covered with secondary woodland, according to the habitat map by PlanD (in the Linkage Study). Please note that this woodland is linked with the surrounding Country Park (CP) and forms a contiguous habitat with the woodland in the CP. GB is not enough to protect this habitat. As in the case of Hoi Ha and Pak Lap, secondary woodlands linked with the CP are zoned GB(1) or CA; we consider that the policy on enclave zoning should be consistent.

g. The marsh now at Lai Chi Wo is largely covered with AGR zone. Please note that the number of approval case regarding small house application in AGR zone is not low and the trend has been increasing (please see Table II at page 4301 of <http://www.legco.gov.hk/yr11-12/english/counmtg/hansard/cm0111-translate-e.pdf>). The marsh is hydrologically linked with the stream and eventually with the Marine Park just adjacent to the enclave. We are concerned that the stream and the Marine Park would be affected if small houses (and associated facilities) are allowed to be built in this area (e.g., septic tank and soak away pit will not work in marshy area and the pollutants would affect the

surrounding habitats). We urge that this marsh should be covered with GB(1) or CA zone. This can protect this marsh and also the whole area from the undesirable potential impacts from the further increase in small house number, but at the same time can allow farmland restoration to be taken place (agricultural use is an always permitted use in these two zones).

Recommendations:

h. Following the Tai Long Wan OZP approach, the V zone should be further reduced.

i. The riparian zones and the streams should be covered with CA zone.

j. The secondary woodlands and the marsh in this enclaves should at least be covered with GB(1) zone.

2. Siu Tan

Recommendations:

a. We recommend that the ponds in this area should be covered with "CA (for wetland only)", to reflect the actual landscape of this location (i.e., ponds) (but the marshy area to the south of the ponds can still be zoned as "CA").

b. Please note that the woodland in Siu Tan is linked with the surrounding CP and forms a contiguous habitat with the woodland in the CP. GB is not enough to protect this habitat. As in the case of Hoi Ha and Pak Lap, secondary woodlands linked with the CP are zoned GB(1) or CA; we consider that the policy on enclave zoning should be consistent, and the woodland should at least be zoned GB(1).

3. Sam A Tsuen

Problems observed and Recommendations:

a. According to Figure 8 of the attached pdf (habitat map of Sam A Tsuen prepared by PlanD for the Linkage Study), the Sam A Tsuen area is largely covered with a marshy area. Now part of this area is covered with AGR zone but part of it is covered with CA. We cannot understand the inconsistency here. We urge that the whole marshy area should be covered with CA because the two parts are ecologically linked, and the importance of this marsh should have been mentioned in the attached pdf. It contains species/habitats of conservation importance. The CA zoning would not affect any potential farmland restoration activity as agricultural use is always allowed.

b. Similar to comments 1f and 2b above, as the woodland in Sam A Tsuen is linked with the CP, it should be covered with GB(1) at least.

c. The V zone should also be reduced, following the Tai Long Wan OZP

approach.

4. Mau Ping

a. Please note that the number of approval case regarding small house application in GB zone is not low and the trend has been increasing (e.g., please see Table II at page 4301 of <http://www.legco.gov.hk/yr11-12/english/counmtg/hansard/cm0111-translate-e.pdf>). Obviously, in view of the high botanical importance of the area (please see the attached pdf), GB zone is not an appropriate zoning for this enclave.

b. We urge that the whole enclave should be covered with CA. This would not affect the re-building of small house in the area as redevelopment of small house can be applied through the TPB.

The above are our preliminary views. Please note that we will submit our formal comments once the draft OZPs are gazetted.

Thank You and Best Regards,

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden Corporation
Lam Kam Rd., Tai Po, N.T., Hong Kong.

bcc. Designing Hong Kong and WWF-HK[attachment "STK.jpg" deleted by MY CHAN/PLAND/HKSARG]
[attachment "Ecological Importance of LCW, MTL, KT, ST, SAT & MP 1.pdf" deleted by MY CHAN/PLAND/HKSARG]

Mau Ping (Ma On Shan Country Park Enclave)

A botanical survey was carried out in this Enclave on 12 February 2014. Plants along the transect (mainly along the existing footpath and also some watercourses) were recorded and identified to the lowest possible taxon. According to our botanists, the site is predominantly covered with mature secondary woodland with high plant diversity.

A total of 310 plant species were recorded, including 10 plant species of conservation concern; these ten species and their conservation status are listed in the table below, and their locations are shown in **Figure 12**.

Species name	Chinese name	Conservation status
<i>Alsophila podophylla</i>	黑桫欏	- Protected under Forests and Countryside Ordinance, Cap. 96. ¹ - Listed as Rare and Precious Plants of Hong Kong by AFCD ²
<i>Aquilaria sinensis</i>	土沉香	- Listed as Rare and Precious Plants of Hong Kong by AFCD ²
<i>Artocarpus hypargyreus</i>	白桂木	- Listed as Rare and Precious Plants of Hong Kong by AFCD ²
<i>Camellia caudata</i>	長尾毛蕊茶	- Protected under Forests and Countryside Ordinance, Cap. 96. ¹
<i>Camellia crapnelliana</i>	紅皮糙果茶	- Protected under Forests and Countryside Ordinance, Cap. 96. ¹ - Listed as Rare and Precious Plants of Hong Kong by AFCD ²
<i>Goodyera procera</i>	高斑葉蘭	- Protected under Forests and Countryside Ordinance, Cap. 96. ¹
<i>Gymnosphaera</i> sp.	桫欏屬	- Protected under Forests and Countryside Ordinance, Cap. 96. ¹
<i>Impatiens hongkongensis</i>	香港鳳仙	- Protected under Forests and Countryside Ordinance, Cap. 96. ¹ - Listed as Rare and Precious Plants of Hong Kong by AFCD ²
<i>Liparis nervosa</i>	見血青	- Protected under Forests and Countryside Ordinance, Cap. 96. ¹
<i>Pavetta hongkongensis</i>	香港大沙葉	- Protected under Forests and Countryside Ordinance, Cap. 96. ¹

1. http://www.afcd.gov.hk/english/conservation/con_flo/con_flo_for/con_flo_for.html

2. http://www.hkherbarium.net/herbarium/html/%20text/Rare%20plant_table.htm

Many of the rare plant individuals (e.g., *I. hongkongensis* and *C. caudata*) were found along the streams (**Figure 12**); some streams are seasonal and cannot be shown in **Figure 12**. The latter species could also be found around some village houses.

In addition to the plant species of conservation interest listed above, our senior botanist has also recorded four rare orchids in this area; they are *Acampe rigida*, *Bulbophyllum kwangtungense*, *Cleisostoma* cf. *paniculatum* and *Ludisia discolor*. Their conservation status, according to Barretto *et al.* (2011), is listed in the table below.

Name	Conservation status in Hong Kong
<i>Acampe rigida</i>	Near Threatened
<i>Bulbophyllum kwangtungense</i>	Endangered
<i>Cleisostoma</i> cf. <i>paniculatum</i>	<i>Cleisostoma paniculatum</i> is considered to be Critically Endangered in Hong Kong

Name	Conservation status in Hong Kong
<i>Ludisia discolor</i>	Endangered

The locations of these species are not shown in this document as they are rare and suffering from illegal collection. We can only say that they can be found along the streams (both permanent and seasonal) in the area.

Overall, we consider that the whole Enclave should be covered with CA, or even SSSI. Indeed, the Mau Ping area already contains a SSSI due to its high botanical diversity.

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Figure 12. Locations of rare plants observed at Mau Ping

Rare Plants Observed at Mau Ping by KFBG

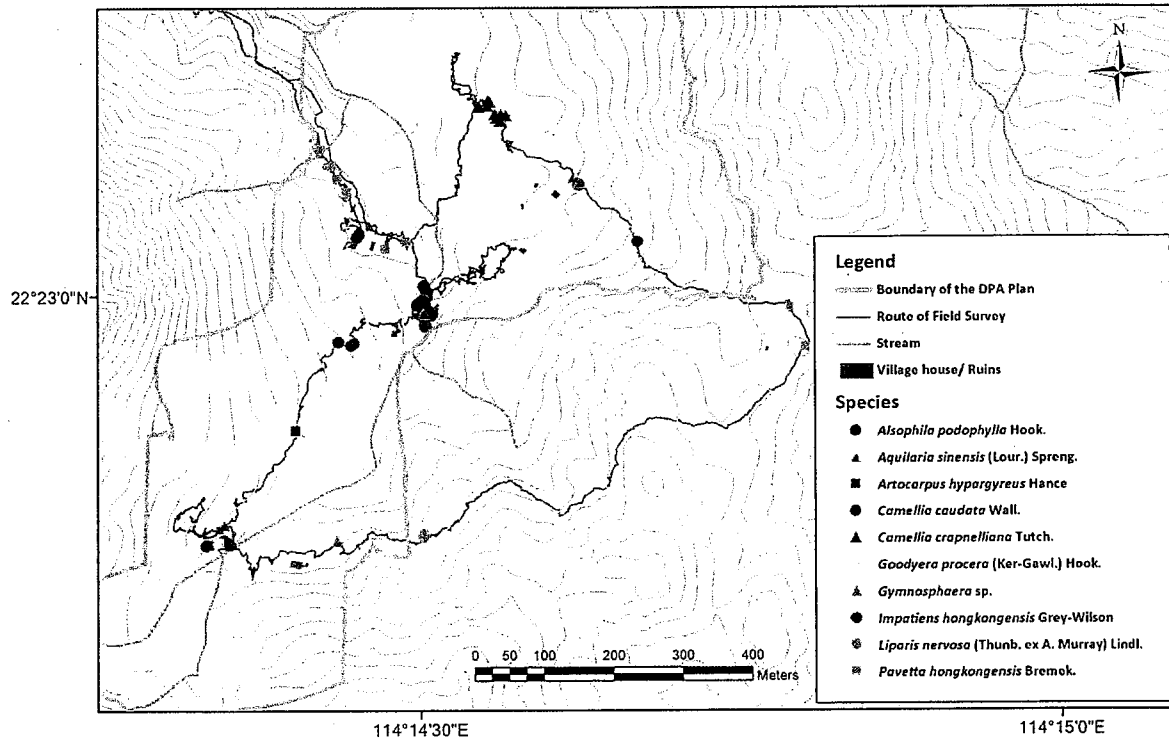


Table II

Small House-Related Planning Applications Processed
by the TPB in the Past Five Years

Number of Applications

<i>Year</i>	<i>Number of applications processed</i>	<i>Number of applications approved</i>	<i>Number of small houses involved in the approved cases</i>	<i>Land area involved in the approved cases (ha)</i>
2007	94	76	101	1.5
2008	121	83	120	1.8
2009	103	60	92	1.7
2010	114	92	110	1.7
2011	163	102	134	2.2
Total	595	413	557	8.9

Land Use Zoning Involved in the Approved Applications

	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>Total</i>
"Agriculture"	28	30	27	26	49	160
"Green Belt"	9	20	9	30	21	89
"Village Type Development" and "Agriculture"*	16	16	7	15	15	69
"Village Type Development" and "Green Belt"*	12	11	13	19	10	65
"Village Type Development" and "Other Specified Uses"*	8	5	3	1	0	17
"Other Specified Uses"	3	1	1	1	7	13
Total	76	83	60	92	102	413

Note:

- * that is, the application site covers both the "Village Type Development" zone and another zone.



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Our Ref.: SHK/LDD 10/14
10 July 2014

Re: Preliminary Consideration of the Draft Mau Ping Outline Zoning Plan
No. S/ST-MP/B

General comment & recommendation

Mau Ping is an area of significant ecological and conservation importance with a mixture of natural habitats, including freshwater streams and mature secondary forest, providing habitats for a diversity of species of flora and fauna. According to a botanical survey carried out by KFBG on 12 February 2014, 310 plant species were recorded, including 10 plant species of conservation concern and some of them had been found along the streams and around some village houses. Adding to other species of amphibians, birds and mammals with conservation interests that were reported in the Mau Ping DPA Plan (Paragraph 4.2d) as well as the information given by the green groups when commenting on the DPA Plan, it is recognized that Mau Ping's ecological values are not merely located at any particular location of the area but embedded within the whole area. Given the entire Mau Ping area is of significant ecological and conservation importance, we recommend the Board to consider changing the proposed "Green Belt" ("GB") zoning area to "Conservation Area" ("CA") so as to safeguard the integrity of the whole area.

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