

# TOWN PLANNING BOARD

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FOR CONSIDERATION BY  
THE TOWN PLANNING BOARD ON 24.7.2015**

**DRAFT PAK SHA O  
OUTLINE ZONING PLAN NO. S/NE-PSO/B  
PRELIMINARY CONSIDERATION OF A NEW PLAN**

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**1. Purpose**

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

- (a) that the draft Pak Sha O Outline Zoning Plan (OZP) No. S/NE-PSO/B (the Plan) (**Appendix I**) together with its Notes (**Appendix II**) are suitable for consultation with the Tai Po District Council (TPDC) and Sai Kung North Rural Committee (SKNRC); 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 TPDC and SKNRC together with the draft OZP.

**2. Background**

- 2.1 On 7.12.2012, the draft Pak Sha O Development Permission Area (DPA) Plan No. DPA/NE-PSO/1 was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). During the DPA Plan exhibition period, a total of 41 representations and 20 comments were received. After giving consideration to the representations and comments on 26.7.2013, the Board decided to partially uphold 36 representations by amending the Notes of the DPA Plan so that any New Territories Exempted House and any demolition of or any addition, alternation and/or modification to or redevelopment of an existing building within the "Village Type Development" ("V") zone would require planning permission from the Board. On 9.8.2013, the proposed amendments to the draft DPA Plan were published under section 6C(2) of the Ordinance. During the statutory exhibition period, a total of four valid further representations were received. After giving consideration to the further representations and the related representations and comments under section 6F(1) of the Ordinance on 4.10.2013, the Board decided not to uphold the further representation and to amend the draft DPA Plan by the proposed amendments. In accordance with section 6H of the Ordinance, the draft DPA Plan should hereafter be read as including the above amendments.
- 2.2 On 7.1.2014, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Pak Sha O DPA Plan, which was subsequently renumbered as DPA/NE-PSO/2. On 17.1.2014, the approved Pak Sha O DPA Plan No. DPA/NE-PSO/2 was exhibited for public inspection under section 9(5) of the Ordinance.

- 2.3 Pursuant to section 20(5) of the Ordinance, the Pak Sha O DPA Plan is effective for a period of three years until 7.12.2015. 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 22.5.2015, 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 Pak Sha O area.

### **3. Planning Context (Plans 1 to 3)**

- 3.1 The Planning Scheme Area (the Area), covering a total land area of about 33.27 ha, is located at the northern part of the Sai Kung Peninsula. The Area is encircled by Sai Kung West (SKW) Country Park with Hoi Ha Wan (HHW) Marine Park to the further north. Pak Sha O and Pak Sha O Ha Yeung are the two recognized villages in the Area. It is accessible by vehicles via Hoi Ha Road leading from Pak Tam Road, and a number of hiking trails from Pak Tam Chung, some of which are connected to HHW.
- 3.2 With reference to the '*Landscape Value Mapping of Hong Kong (2005)*', the Area is classified as of high quality landscape value of an enclosed, tranquil and coherent landscape character. Other landscape features include the traditional village houses and surrounding woodland of Pak Sha O and Pak Sha O Ha Yeung villages as well as the adjacent ornamental and mature tree planting.
- 3.3 Details of the land use considerations are contained in the Planning Report on Pak Sha O at **Appendix IV**. Some major issues in relation to the proposed zonings are stated in the following paragraphs.

### **4. Issues Arising from Consideration of the DPA Plan**

- 4.1 During the consideration of the representations and comments on 26.7.2013 and the further representations and the related representations and comments on 4.10.2013, the following proposals were put forward for the Board's consideration:
  - (a) The village representative (VR) of Pak Sha O, Sai Kung North Rural Committee (SKNRC) and local villagers objected to the "Unspecified Use" designation of the draft DPA Plan and proposed to expand the "V" zone and designate the "Unspecified Use" areas as "Agriculture" ("AGR") and "Recreation" ("REC").
  - (b) The green/ concern groups<sup>1</sup> generally supported the DPA Plan but proposed to reduce the "V" zone, designate appropriate conservation zonings, prohibit demolition and building activities, amend the Notes of the DPA Plan and incorporate the Area into the Country Park.

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<sup>1</sup> Including Designing Hong Kong Ltd, Kadoorie Farm & Botanic Garden Corporation (KFBG), Green Power, Conservancy Association, Worldwide Fund for Nature Hong Kong, Friends of Hoi Ha and Friends of Sai Kung.

- 4.2 While the Board on 26.7.2013 decided to partially uphold some of the representations as highlighted in paragraph 2.1 above, it noted that detailed studies and analysis would be conducted to determine the appropriate zonings for areas of high ecological, landscape and cultural heritage value and the boundary of the “V” zones in the course of preparing the OZP.

## **5. Object of the Plan**

The object of the Plan is to indicate the broad land-use zonings for the Area so that development and redevelopment within the Area 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. The Planning Scheme Area (Plans 1 to 3 and Figures 1 to 4b of Appendix IV)**

- 6.1 Surrounded by the SKW Country Park, the Area is situated along the eastern part of a narrow valley in between Mount Hallows and Shek Uk Shan running towards HHW. The central part of the Area mainly comprises low-lying agricultural land and freshwater marshes and intervening scrubland and woodlands that extend towards the fringe of the Area connecting with the well-established vegetation cover of SKW Country Park. The Area falls entirely within the upper indirect Water Gathering Ground (WGG).
- 6.2 Agricultural activities were widely undertaken in the whole valley area in the 1960s and 1970s but diminished from the 1980s. Recently, some agricultural land to the north of the village cluster at Pak Sha O has been rehabilitated for active agricultural use. There are stream courses and irrigation systems in the Area running from west to east. The Hoi Ha Ecologically Important Stream (EIS), about 1.4 km in length, and its tributaries feed the surrounding low-lying agricultural lands and regenerated woodlands and some natural freshwater marshes before flowing into HHW.
- 6.3 Pak Sha O and Pak Sha O Ha Yeung are the two recognized villages in the Area. According to the 2011 Population Census, the total population in the Area was below 50 persons. According to the Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department (LCSD), the two villages are outstanding vernacular Hakka villages which are well preserved with a number of interesting historical and cultural heritage buildings, including the Ho Residence and Ho Ancestral Hall (Grade 1) and Immaculate Heart of Mary Chapel (Grade 3) at Pak Sha O and King Siu Sai Kui and Hau Fuk Mun (proposed Grade 1) at Pak Sha O Ha Yeung. Some nicely restored old village houses with landscape gardens could also be found.

6.4 The Area is accessible by vehicles via Hoi Ha Road connecting to Pak Tam Road, and a number of hiking trails from Pak Tam Chung, some of which are connected to HHW to the further north. Whilst there is no direct vehicular access to the village clusters of Pak Sha O and Pak Sha O Ha Yeung, there is a walking trail off Hoi Ha Road leading to the two villages. Pak Sha O Youth Hostel, which has been operated by Hong Kong Youth Association since 1975, is situated adjacent to Hoi Ha Road, and there is a public toilet to the further south near the walking trail. In Pak Sha O, Immaculate heart of Mary Chapel currently occupied by the Catholic Scout Guild can be found.

## **7. Development Proposals Received in the Course of Preparation of the Plan**

7.1 Since the gazettal of the draft DPA Plan on 7.12.2012, only one Small House planning application at the “Unspecified Use” of the Area was received but it was subsequently withdrawn by the applicant. In the course of preparing the OZP, some views/ proposals were received from concerned parties and they are set out below.

7.2 A Green Group, KFBG indicated that important features and native species should be conserved and protected from development and proposed that:

- (a) Conservation zonings should be designated for areas covered by mature woodland to the south of Pak Sha O, secondary woodlands, freshwater marshes, Hoi Ha EIS and its tributaries as well as the riparian zones.
- (b) The “V” zone should be confined to a minimum and should not be expanded.
- (c) Should the active agricultural areas be zoned “Agriculture” (“AGR”), it should be stipulated in the Notes that development of Small House was not permitted and redevelopment of existing houses required planning permission from the Board.

7.3 The Chairman of SKNRC and Indigenous Inhabitant Representative (IIR) of Pak Sha O considered that:

- (a) The “V” zone of the Pak Sha O should be extended to the immediate north of the existing cluster to cater for the Small House demand.
- (b) The statutory planning restrictions of the “V” zone on the current DPA Plan (i.e. proposed new Small Houses and any demolition of or addition, alteration and/or modification to or replacement/redevelopment of an existing building within the “V” zone requiring planning permission from the Board) should not be included in the “V” zone of the future OZP.
- (c) Areas under agricultural activities should be covered by the “AGR” zoning.
- (d) The Government should provide new access roads and communal sewage treatment facilities to facilitate development of the Area.

- 7.4 The above views have been taken into account in preparing the draft Pak Sha O OZP and delineating the various land-use zonings and the details are elaborated in the following paragraphs.

## 8. Land Use Planning Considerations

### *Conservation and Natural Landscape (Plans 2 to 4 and Figures 5a to 5d, 5f and 5g of Appendix IV)*

- 8.1 The Area possesses a mixture of habitats and natural resources worthy for preservation, including Hoi Ha EIS and natural streams and their riparian zones, mature and secondary woodlands as well as freshwater marshes.
- 8.2 Extensive stretches of wooded areas are largely undisturbed and connected with the surrounding SKW Country Park. Numerous tree species such as *Cinnamomum parthenoxylon* (黃樟), *Bischofia javanica* (秋楓), *Schefflera heptaphylla* (鵝掌柴), *Cratoxylum cochinchinense* (黃牛木), *Viburnum odoratissimum* (珊瑚樹), *Sterculia lanceolata* (假萍婆), *Machilus spp.* (楠屬), *Aporosa dioica* (銀柴) and *Symplocos spp.* (山礬) etc, together with understory planting are found in the eastern part of regenerated woodland at the entrance to the Pak Sha O village cluster. Medium sized common woodland tree species such as *Sapium sebiferum* (烏柏), *Cleistocalyx nervosum* (水翁) etc. are found within the western part of the regenerated woodland located to the west of Pak Sha O. Most of the area in Pak Sha O Ha Yeung is natural woodland with mature trees, such as *Viburnum odoratissimum* (珊瑚樹), *Cinnamomum parthenoxylon* (黃樟), *Cleistocalyx nervosum* (水翁), *Ficus variegata* (青果榕) etc. and the downstream of the Hoi Ha EIS and hillside tributaries are found to the east. Protected plant species such as *Aquilaria sinensis* (土沉香), *Pavetta hongkongensis* (香港大沙葉) and *Cibotium barometz* (金毛狗) have been found in the woodlands of the Area.
- 8.3 In particular, there is a mature (*fung shui*) woodland on the hillsides at the southern part of the Area forming a backdrop for the Pak Sha O village cluster. An usually large specimen of *Bischofia javanica* (秋楓) has been recorded.
- 8.4 There is a large stretch of freshwater marsh to the south of the village cluster of Pak Sha O Ha Yeung, where an orchid species, *Liparis ferruginea* (鏽色羊耳蒜), with a limited local distribution is found.
- 8.5 Many stream tributaries flow through the Area including a section identified as the Hoi Ha EIS. The EIS is valued for its good water quality and presence of the rare Three-lines Bagrid Fish *Pseudobagrus trilineatus* (三線擬鱔). Pak Sha O is one of the two localities in Hong Kong where this species can be found. The EIS and the tributaries feed the surrounding low-lying active agricultural lands and regenerated woodlands supporting woodland habitats and some natural freshwater marshes. In the natural habitats of the Area, rare and very rare butterfly species, such as *Parantica sita* (大絹斑蝶) and *Choaspes jemixanthus* (半黃綠弄蝶) have been recorded.

- 8.6 From landscape value point of view, the Area is situated in an enclosed, tranquil and coherent landscape character including stream course of the Hoi Ha EIS, secondary and mature woodland, existing village houses and buildings. The surrounding landscape are all of high cultural landscape sensitivity value.
- 8.7 The above natural features and rural settings should be protected as far as possible. To this end, it is proposed to designate the mature (*fung shui*) woodland at Pak Sha O and the freshwater marsh at Pak Sha O Ha Yeung as "Conservation Area" ("CA"), and the remaining areas and slopes occupied by natural vegetation, woodlands and freshwater marshes, and Hoi Ha EIS<sup>2</sup>, natural streams and their riparian zones generally as "Green Belt" ("GB").

***Agriculture (Plans 2 to 4 and Figures 5a to 5c and 5e of Appendix IV)***

- 8.8 Recently, plots of abandoned agricultural land adjoining the EIS to the north of the village cluster of Pak Sha O across the woodland have been rehabilitated for agricultural purpose. The Agriculture, Fisheries and Conservation Department (AFCD) comments that the active agricultural land and the abandoned agricultural land in its vicinity are considered suitable for agricultural activities. To reflect the active agricultural use on site, it is proposed to designate the area as "Agriculture" ("AGR"). It should be noted that part of the EIS adjacent to a walking trail leading to Pak Sha O Village passes through the southern part of the active agricultural land. To avoid piecemeal or spot zoning, this part of the EIS has been included in the proposed "AGR" zone. However, according to the Notes of the proposed "AGR" zone, diversion of streams requires planning permission from the Board. Besides, according to Water Supplies Department (WSD), the use of pesticide within WGG is not allowed. As for the use of other chemicals including fertilizers, prior approval must be sought from WSD. WSD will continue to monitor the water quality in the area to ensure the safety of raw water for drinking water supply. There should be sufficient safeguard for the protection of the part of the EIS. Furthermore, AFCD has been consulted and it has no comment on the proposed "AGR" zone.

***Land for Village Development (Plans 2 to 4 and Figures 5c and 6a to 6e(iv) of Appendix IV)***

- 8.9 The two recognized villages in the Area, namely Pak Sha O and Pak Sha O Ha Yeung, are sparsely populated. Land within the 'VE' comprises the existing village clusters of Pak Sha O, active agricultural land with stream courses including the EIS in the central and southern part of the Area, secondary woodland developed from abandoned agricultural land and native woodland to the south of the village. As for Pak Sha O Ha Yeung, land within the 'VE' comprises the existing village houses at the toe of hillslopes in the northern part of the Area, the adjoining low-lying abandoned agricultural land that has developed into freshwater marshes and secondary woodland, native woodland on the hillside and stream courses in the northern part of the Area (**Plans 2 and 3**).

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<sup>2</sup> Except part of the EIS passing through the existing cultivated land which has been included in the proposed "AGR" zone.

- 8.10 The two existing core village clusters are outstanding vernacular Hakka villages in the Area and are well-preserved with historical buildings, such as Ho Residence and Ho Ancestral Hall (Grade 1) at Pak Sha O and King Siu Sai Kui and Hau Fuk Mun (proposed Grade 1) at Pak Sha O Ha Yeung (**Figures 6b to 6d of Appendix IV**). As the heritage value of historic buildings partly lies in their original physical environment, any change to the existing vernacular Hakka village setting with possible adverse impact on the heritage value of historic buildings should be avoided.
- 8.11 According to the 2011 Population Census, the population in the Area is below 50. As advised by District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD), there are 38 and 7 outstanding Small House applications for Pak Sha O and Pak Sha O Ha Yeung respectively. As provided by the relevant IIR, the 10-year demand forecast of Pak Sha O is 190, whereas for Pak Sha O Ha Yeung, the 10-year demand forecast is not available as there is no IIR for the village. Compared with the previous corresponding figure in 2012 when preparing the draft DPA Plan, there is a substantial increase in the 10-year demand forecast of Pak Sha O from 49 in 2012 to 190 in 2015 (**Table 1**). Since no justification has been provided by the IIR for the substantial increase, the updated outstanding demand in 2015, i.e. 38 and previous 10-year forecast i.e. 49 has been adopted in the calculation of the Small House demand figure.
- 8.12 Given the natural environment, and high ecological and landscape value of the Area and the need to conserve the ambience of the existing villages, an incremental approach for designation of “V” zone for Small House development has been adopted with an aim to confining Small House development within the existing village settlements (**Plan 4**). A total of about 0.5 ha of land mainly covering the two existing core village clusters of Pak Sha O and Pak Sha O Ha Yeung has been designated as “V”. The “V” zone area has been reduced from 1.38 ha to 0.5 ha as compared with that on the DPA Plan.
- 8.13 In order to ensure that new houses would be in harmony with the existing historic buildings and would not affect the integrity and ambience of the existing village setting, including Ho Residence and Ho Ancestral Hall (Grade 1) at Pak Sha O and King Siu Sai Kui and Hau Fuk Mun (proposed Grade 1) at Pak Sha O Ha Yeung, stricter planning control over village development has been proposed for these two existing core village clusters. Within this “V” zone, any proposed house and any demolition of or any addition, alteration and/or modification to or replacement/redevelopment of an existing building require planning permission from the Board. In addition, selected commercial, community and recreational uses<sup>3</sup> may be permitted on application to the Town Planning Board.
- 8.14 Within the proposed “V” zone, about 0.15 ha of land (or equivalent to about 5 houses) is available, which is capable of meeting about 6% of the total Small House demand of 94 houses for the Pak Sha O and Pak Sha O Ha Yeung. The assessment of the supply and demand for Small House for the two villages are summarised in **Table 1** below:

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<sup>3</sup> Compared with the Master Schedule of Uses (MSU), ‘Burial Ground’, ‘Market’, ‘Petrol Filling Station’, ‘Place of Recreation, Sports or Culture’, ‘Private Club’, ‘Public Clinic’, ‘Public Transport Terminus or Station’ and ‘Public Vehicle Park (excluding container vehicle)’ are excluded from Column 2 Uses under the “V” zone.

**Table 1: Supply and Demand for Small House in Pak Sha O and Pak Sha O Ha Yeung**

Village	Small House Demand Figure in 2012		Small House Demand Figure in 2015		'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 (ha)	Percentage of the new demand met by available land
	Outstanding Demand	10-year forecast (2012 – 2021)	Outstanding Demand	10-year forecast (2015 – 2024)					
<b>Pak Sha O</b>	38	49*	38*	190*	5.79 (5.30)	0.32	2.18	0.06 (2 houses)	3%
<b>Pak Sha O Ha Yeung</b>	6	NA	7	NA	4.86 (3.75)	0.18	0.18	0.09 (3 houses)	50%
<b>Total</b>	44	49	45	190	10.65 (9.05)	0.50	2.36	0.15 (5 houses)	6%

\* Since no justification has been provided by the IIR for the substantial increase in the latest 10-year forecast for Pak Sha O. In such circumstances, the updated outstanding demand in 2015 (i.e. 38), and the previous 10-year forecast provided in 2012, (i.e. 49), are adopted in the calculation of the Small House demand for Pak Sha O.

NA The 10-year Small House demand forecast for Pak Sha O Ha Yeung is not available as there is no IIR for the village.

8.15 While land zoned “V” is insufficient to meet the Small House demand in the Area, as advised by DLO/TP, LandsD, cross-village applications might be considered under the current land administrative practice. When preparing the OZP for Pak Tam Au, the surplus of land for Small House development within the “V” zone of Pak Tam Au<sup>4</sup> could help to meet the Small House demand of other villages within the Country Park enclaves in Sai Kung North, including Pak Sha O and Pak Sha O Ha Yeung, having a shortfall of “V” land by means of cross-village applications. The planning application system provides another measure for the villagers to apply for Small House development outside the “V” zones subject to the Board’s approval.

<sup>4</sup> Small House demand and supply for Pak Tam Au (as at April 2015):-

Small House Demand Figure in 2010		Small House Demand Figure in 2014		'VE' area (ha) within OZP	'V' zone on 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 Yr Forecast 2010-2019	Outstanding Demand	10 Yr Forecast 2014-2023					
14	>25*	10*	55*	3.74	2.52	0.88	1.16 (46 houses)	132%

\* Since no justification has been provided by the VRs for the substantial increase in the latest 10-year forecast, the updated outstanding demand in 2014 (i.e. 10), and the previous 10-year forecast provided in 2010 (i.e. 25 rather than “over 25”), are adopted as the total Small House demand figures.

- 8.16 For protection of the water quality of the Area, including the streams, in accordance with the Environment, Transport and Works Bureau's Technical Circular (Works) No. 5/2005 "*Protection of Natural Streams/Rivers from Adverse Impacts Arising from Construction Works*", 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. Accordingly, Lands Department (LandsD), when processing Small House grant applications in close proximity to existing stream courses, should consult concerned departments including AFCD, EPD and PlanD to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.
- 8.17 There is neither existing nor proposed public sewer in the Area. In addition, the Area falls entirely within the upper indirect water gathering ground. For any village type development, 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.

***Government, Institutional or Community Facilities (Plans 2 and 4 and Figures 6a, 6c and 6f of Appendix IV)***

- 8.18 Major GIC facilities in the Area, namely Pak Sha O Youth Hostel, Immaculate Heart of Mary Chapel (Grade 3) and the public toilet to the south of the youth hostel, serve the needs of the local community and visitors. To reflect these existing GIC facilities on site, it is proposed to zone these developments as "Government, Institution or Community" ("G/IC"). To preserve the rural character of the Area as well as provide spatial and visual relief, development/redevelopment within this zone should be restricted to the maximum building heights as stipulated on the Plan 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 greater.

**9. Planning Intention**

- 9.1 The general planning intention for the Area is to conserve the high natural landscape and ecological significance of the Area in safeguarding the natural habitat and natural system of the wider area. Apart from environmental and ecological consideration, development in the Area is constrained by limited infrastructure provisions. It is also intended to consolidate village development so as to avoid undesirable disturbances to the natural environment and overtaxing the limited infrastructure in the Area. Since Pak Sha O and Pak Sha O Ha Yeung are outstanding vernacular Hakka villages in the Area and are well-preserved, and that the heritage value of historic buildings partly lies in their original physical environment, the planning intention is also to preserve the existing vernacular Hakka village setting and any change to the existing village setting with possible adverse impact on the heritage value of historic buildings should be avoided.

- 9.2 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.

## **10. Land Use Zonings**

### 10.1 “Village Type Development” (“V”): Total Area 0.50 ha

- 10.1.1 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, community and recreational uses may be permitted on application to the Town Planning Board.
- 10.1.2 Pak Sha O and Pak Sha O Ha Yeung are two 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, Small House demand forecast, local topography and site constraints and the high conservation value of the existing village clusters, including Ho Residence and Ho Ancestral Hall (Grade 1) at Pak Sha O and King Siu Sai Kui and Hau Fuk Mun (proposed Grade 1) at Pak Sha O Ha Yeung, of the two villages. Areas of difficult terrain, dense vegetation, stream courses and burial grounds have been avoided as far as possible.
- 10.1.3 Noting that Pak Sha O and Pak Sha O Ha Yeung are outstanding vernacular Hakka villages in the Area and are well-preserved, and that the heritage value of historic buildings partly lies in their original physical environment, any change to the existing vernacular Hakka village setting with possible adverse impact on the heritage value of historic buildings and integrity and ambience of the existing village setting should be avoided. Proposed house and any demolition of or any addition, alteration and/or modification to or replacement/redevelopment of an existing building requires planning permission from the Board. Prior consultation with AMO of LCSD should be made if any development, redevelopment or rezoning proposals might affect the above historic buildings, new items pending grading assessment and their immediate environs.
- 10.1.4 Except for those specified, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23 m) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft DPA plan, whichever is the greater.

- 10.1.5 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height restriction may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.
- 10.1.6 Some areas are overlooked by steep natural hillsides and may be affected by potential natural terrain landslide hazards. For future development in these areas, the developer(s) may be required to carry out natural terrain hazard study and provide suitable hazard mitigation measures, if found necessary, as part of the development.
- 10.1.7 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 the Agriculture, Fisheries and Conservation Department (AFCD) and relevant authorities and incorporate relevant comments/advice as conditions of approval wherever possible. Accordingly, the Lands Department (LandsD) when processing Small House grant applications in close proximity to existing stream courses, should consult concerned departments including AFCD and the PlanD to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.
- 10.1.8 As diversion of streams or filling of pond may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.
- 10.1.9 There is neither existing nor proposed public sewer in the Area. In addition, the Area falls entirely within the upper indirect WGG. For any village type development, it should be demonstrated that the water quality within WGG will not be affected by the proposals. In general, the use of septic tank and soakaway systems for sewage treatment and disposal is considered as an unacceptable means for new village developments located in 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.
- 10.2 “Government, Institution or Community” (“G/IC”): Total Area 0.52 ha
- 10.2.1 The planning intention of this zone is primarily for the provision of government, institution and community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the government organizations providing social services to meet community needs, and other institutional establishments.

- 10.2.2 Three sites are zoned “G/IC”, namely Pak Sha O Youth Hostel, Immaculate Heart of Mary Chapel and a public toilet located to the south of the youth hostel. Pak Sha O Youth Hostel was converted from an abandoned village school comprising of three school blocks providing about 110 bed spaces and some camping sites in September 1975. The simple architectural design of the building blocks with one to two storeys in height integrates with the surrounding landscape. Trees and ornamental planting are found within and adjacent to the hostel along the existing footpath. The character of the building and the adjoining landscape are compatible to the landscape context of the Area.
- 10.2.3 Immaculate Heart of Mary Chapel is located to the south of Pak Sha O Village. The chapel is a Grade 3 historic building of one storey in height probably built between 1915 and 1923. In 1982, the chapel was converted by the Catholic Diocese of Hong Kong into a tent site and a training camp. The site is currently being occupied by the Catholic Scout Guild.
- 10.2.4 The public toilet to the south of Pak Sha O Youth Hostel is one storey in height. It is managed and maintained by the Food and Environmental Hygiene Department.
- 10.2.5 To preserve the rural and low-rise character of the Area as well as provide spatial and visual relief, development/redevelopment within this zone should be restricted to the maximum building heights as stipulated on the Plan 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 greater.
- 10.2.6 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height-restrictions may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

10.3 “Agriculture” (“AGR”): Total Area 1.49 ha

- 10.3.1 The planning intention of this zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.
- 10.3.2 Recently, plots of abandoned agricultural land adjoining the EIS to the north of the village cluster of Pak Sha O across the woodland have been rehabilitated for agricultural purpose. To reflect the active agricultural use on site, it is proposed to designate the area as “AGR”.

10.3.3 As the diversion of streams or filling of land/pond may cause adverse impacts on the natural environment and the ecological value of the adjacent area, planning approval is required for such activities. However, filling of land specifically required under prior written instructions of Government department(s), or for the purpose of genuine agricultural practice including laying of soil not exceeding 1.2m thickness for cultivation, and construction of agricultural structure with prior written approval from the Lands Department is exempted from the control.

#### 10.4 “Green Belt” (“GB”): Total Area 28.86 ha

10.4.1 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.

10.4.2 Numerous tree species such as *Cinnamomum parthenoxylon* (黃樟), *Bischofia javanica* (秋楓), *Schefflera heptaphylla* (鵝掌柴), *Cratogeomys cochinchinense* (黃牛木), *Viburnum odoratissimum* (珊瑚樹), *Sterculia lanceolata* (假萍婆), *Machilus spp.* (楠屬), *Aporosa dioica* (銀柴) and *Symplocos spp.* (山礬) etc, together with understory planting are found in the eastern part of regenerated woodland at the entrance to the Pak Sha O village cluster. Medium sized common woodland tree species such as *Sapium sebiferum* (烏柏), *Cleistocalyx nervosum* (水翁) etc. are found within the western part of the regenerated woodland located to the west of Pak Sha O. Most of the area in Pak Sha O Ha Yeung is natural woodland with mature trees, such as *Viburnum odoratissimum* (珊瑚樹), *Cinnamomum parthenoxylon* (黃樟), *Cleistocalyx nervosum* (水翁), *Ficus variegata* (青果榕) etc and includes a stream section downstream of the Hoi Ha EIS and hillside tributaries to the east. Protected plant species such as *Aquilaria sinensis* (土沉香), *Pavetta hongkongensis* (香港大沙葉) and *Cibotium barometz* (金毛狗) have been found in the woodlands of the Area.

10.4.3 Many stream tributaries flow through the Area including a section identified as the Hoi Ha EIS. The EIS is valued for its good water quality and presence of the rare Three-lines Bagrid Fish *Pseudobagrus trilineatus* (三線擬鱮). Pak Sha O is one of the two localities in Hong Kong where this species can be found. The EIS and the tributaries feed the surrounding low-lying active agricultural lands and regenerated woodlands supporting woodland habitats and creating some natural freshwater marshes.

10.4.4 The areas zoned “GB” comprise mainly woodlands, scrublands and streams, including the EIS and its riparian zone. Designation of “GB” would conserve and maintain the integrity of the vast secondary woodland including woodland on the hillslopes which are contiguous with SKW Country Park and conserve the natural and rural character of the Area.

- 10.4.5 Part of a traditional burial ground which encroaches upon the north-western fringe of the Area is within this zone. It has been in existence for many years, and is considered as an existing use intended for the burial of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities within this zone are generally tolerated.
- 10.4.6 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.
- 10.4.7 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 except public works co-ordinated or implemented by government, and maintenance, repair or rebuilding works.
- 10.5 “Conservation Area” (“CA”): Total Area 1.36 ha
- 10.5.1 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 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.
- 10.5.2 The mature (*fung shui*) woodland on the hillsides forming a backdrop for the Pak Sha O village cluster at the southern part of the Area is zoned “CA”. An usually large specimen of *Bischofia javanica* (秋楓) has been recorded.
- 10.5.3 Another “CA” zone covers the large stretch of freshwater marsh to the south of the village cluster of Pak Sha O Ha Yeung, where an orchid species, *Liparis ferruginea* (鏽色羊耳蒜), with a limited local distribution is found.
- 10.5.4 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.
- 10.6 The proposed land use pattern of the Area is shown on **Plan 4**. Detailed land-use proposals of the Area are set out in paragraph 9 of the ES (**Appendix III**).

- 10.7 A comparison of land use zonings on the approved Pak Sha O DPA Plan No. DPA/NE-PSO/2 and the draft OZP No. S/NE-PSO/B is shown in the table below:

<b>Land use zoning</b>	<b>Area on approved DPA Plan</b>	<b>Area on the Plan</b>
“V”	1.38 ha (4.15%)	0.50 ha (1.50%)
“Unspecified”	31.89 ha (95.85%)	-
“G/IC”	-	0.52 ha (1.56%)
“AGR”	-	1.49 ha (4.48%)
“GB”	-	28.86 ha (86.74%)
“CA”	-	1.36 ha (4.09%)
‘Road’	-	0.54 ha (1.62%)
<b>Total</b>	<b>33.27 ha</b>	<b>33.27 ha</b>

## **11. Notes of the Plan**

- 11.1 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.
- 11.2 The draft Notes are formulated on the basis of the latest set of Master Schedule of Notes (MSN) endorsed by the Board.

## **12. Consultation**

- 12.1 Prior to the preparation of the draft OZP, the major stakeholders have been approached for their views/proposals. 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.
- 12.2 Subject to the agreement of the Board, the draft OZP No. S/NE-PSO/B will be submitted to the TPDC and the SKNRC for consultation. Comments from the TPDC and the SKNRC will be submitted to the Board for consideration prior to the publication of the draft OZP under section 5 of the Ordinance.

**13. Decision Sought**

Members are invited to:

- (a) agree that the draft Pak Sha O OZP No. S/NE-PSO/B (**Appendix I**) together with its Notes (**Appendix II**) is suitable for consultation with the TPDC and SKNRC;
- (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 Pak Sha O OZP No. S/NE-PSO/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 TPDC and the SKNRC together with the draft OZP.

**14. Attachments**

Plan 1	Planning Scheme Area
Plan 2	Aerial Photo
Plan 3	Village 'Environs' and Existing Physical Features
Plan 4	Development Constraints and Proposed Land Uses
Appendix I	Draft Pak Sha O Outline Zoning Plan No. S/NE-PSO/B
Appendix II	Notes of the Draft Pak Sha O OZP No. S/NE-PSO/B
Appendix III	Explanatory Statement of the Draft Pak Sha O OZP No. S/NE-PSO/B
Appendix IV	Planning Report on Pak Sha O

**PLANNING DEPARTMENT  
JULY 2015**



SAI KUNG WEST COUNTRY PARK

PAK SHA O  
HA YEUNG

Pak Sha O  
Youth Hostel

HOI HA ROAD

PAK SHA O

NAM SHAN  
TUNG

SAI KUNG WEST COUNTRY PARK

**LEGEND**

 BOUNDARY OF  
PLANNING SCHEME

 COUNTRY PARK

**PLANNING SCHEME AREA**

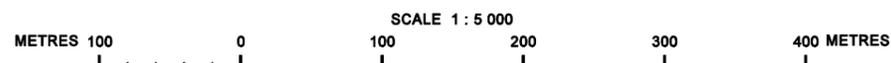
PAK SHA O

PLANNING DEPARTMENT 

PLAN PREPARED ON 17.6.2015  
BASED ON SURVEY SHEETS No.  
8-NW-4C/D, 5C/D, 9A/B/C/D & 10A/B/C/D

REFERENCE No.  
M/CPE/PSO/15/7

PLAN  
1





SAI KUNG WEST COUNTRY PARK

Hoi Ha Road

PAK SHA O  
HA YEUNG

Pak Sha O  
Youth Hostel

NAM SHAN  
TUNG

PAKSHA O

SAI KUNG WEST COUNTRY PARK

LEGEND

-  BOUNDARY OF PLANNING SCHEME
-  BOUNDARY OF COUNTRY PARK

AERIAL PHOTO

PAK SHA O

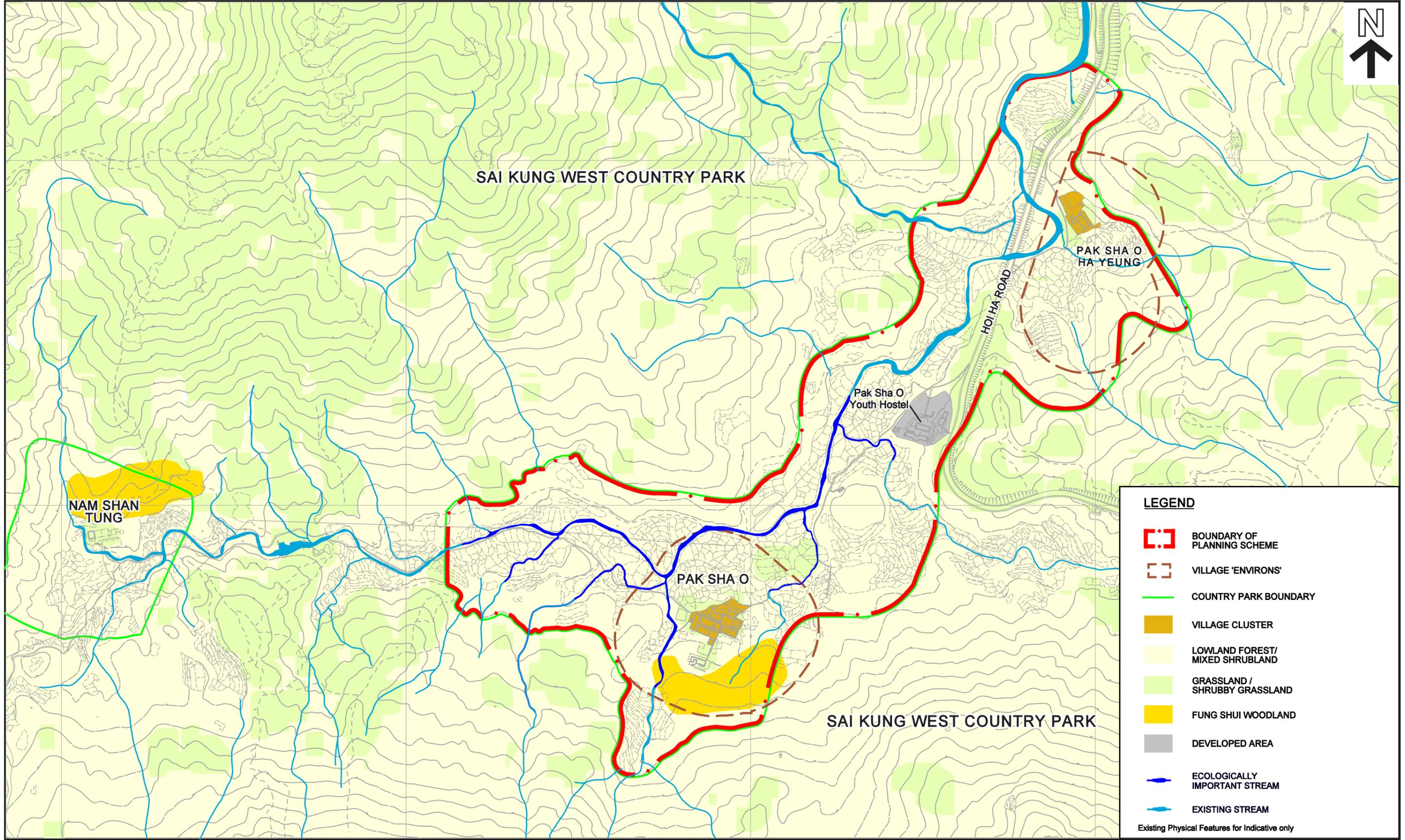
PLANNING DEPARTMENT



PLAN PREPARED ON 15.7.2015  
BASED ON AERIAL PHOTOS No. CS56326, CS56327, CS56328,  
CS56550 AND CS56552 TAKEN ON 3.1.2015 BY LANDS DEPARTMENT

REFERENCE No.  
M/CPE/PSO/15/7

PLAN  
2



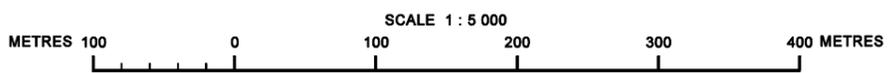
**LEGEND**

-  BOUNDARY OF PLANNING SCHEME
-  VILLAGE 'ENVIRONS'
-  COUNTRY PARK BOUNDARY
-  VILLAGE CLUSTER
-  LOWLAND FOREST/ MIXED SHRUBLAND
-  GRASSLAND / SHRUBBY GRASSLAND
-  FUNG SHUI WOODLAND
-  DEVELOPED AREA
-  ECOLOGICALLY IMPORTANT STREAM
-  EXISTING STREAM

Existing Physical Features for Indicative only

**VILLAGE 'ENVIRONS' AND EXISTING PHYSICAL FEATURES**

**PAK SHA O**



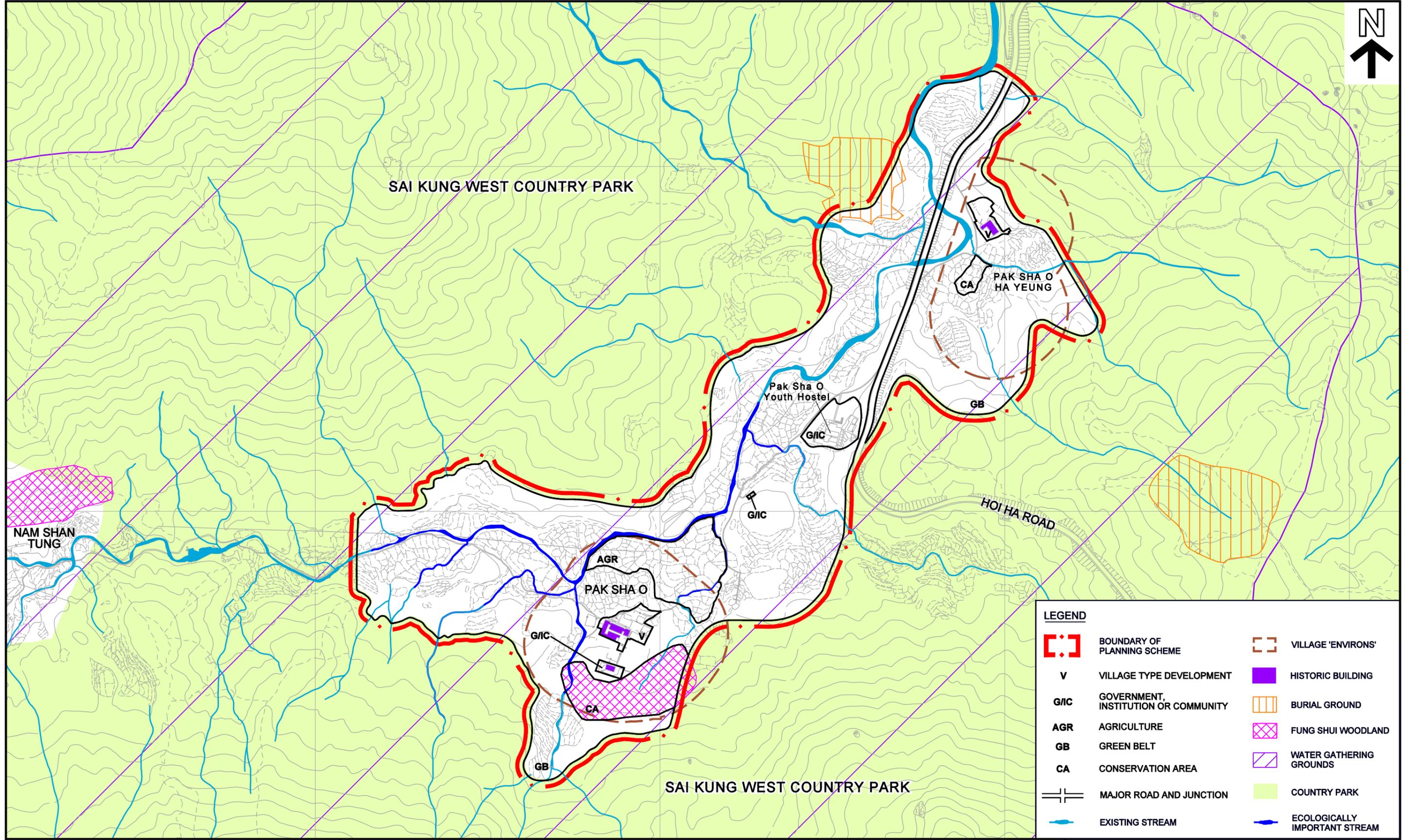
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8-NW-4C/D, 5C/D, 9A/B/C/D & 10A/B/C/D

**PLANNING DEPARTMENT**



REFERENCE No.  
**M/CPE/PSO/15/7**

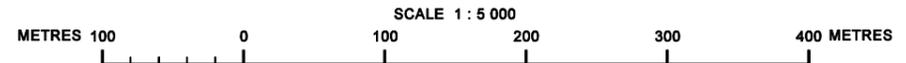
PLAN  
**3**



LEGEND	
	BOUNDARY OF PLANNING SCHEME
	VILLAGE 'ENVIRONS'
	VILLAGE TYPE DEVELOPMENT
	HISTORIC BUILDING
	GOVERNMENT, INSTITUTION OR COMMUNITY
	BURIAL GROUND
	AGRICULTURE
	FUNG SHUI WOODLAND
	GREEN BELT
	WATER GATHERING GROUNDS
	CONSERVATION AREA
	COUNTRY PARK
	MAJOR ROAD AND JUNCTION
	EXISTING STREAM
	ECOLOGICALLY IMPORTANT STREAM

**DEVELOPMENT CONSTRAINTS AND PROPOSED LAND USES**

**PAK SHA O**



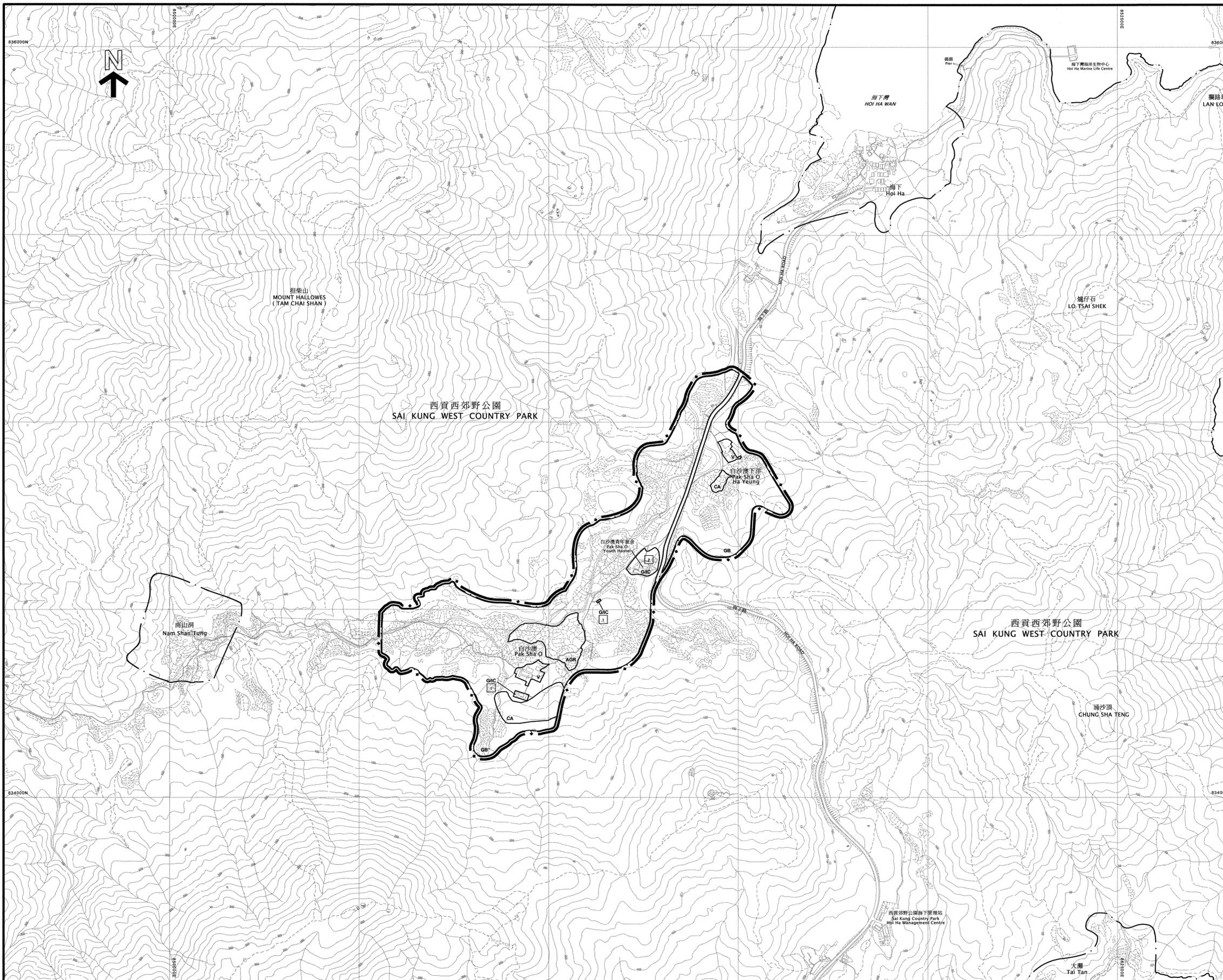
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BASED ON SURVEY SHEETS No. 8-NW-4C/D,  
5C/D, 9A/B/C/D AND 10A/B/C/D

**PLANNING DEPARTMENT**



REFERENCE No.  
**M/CPE/PSO/15/7**

PLAN  
**4**



圖例  
NOTATION

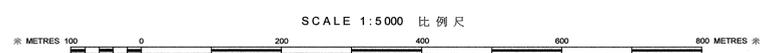
ZONES		地帶
VILLAGE TYPE DEVELOPMENT	V	鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	GIC	政府、機構或社區
AGRICULTURE	AGR	農業
GREEN BELT	GB	綠化地帶
CONSERVATION AREA	CA	自然保育區
COMMUNICATIONS		交通
MAJOR ROAD AND JUNCTION		主要道路及路口
MISCELLANEOUS		其他
BOUNDARY OF PLANNING SCHEME		規劃範圍界線
BOUNDARY OF COUNTRY PARK		郊野公園界線
MAXIMUM BUILDING HEIGHT (IN NUMBER OF STOREYS)	1	最高建築物高度 (樓層數目)

土地用途及面積一覽表  
SCHEDULE OF USES AND AREAS

USES	大約面積及百分率 APPROXIMATE AREA & %		用途
	公頃 HECTARES	百分率 %	
VILLAGE TYPE DEVELOPMENT	0.50	1.50	鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	0.52	1.56	政府、機構或社區
AGRICULTURE	1.49	4.48	農業
GREEN BELT	28.86	86.74	綠化地帶
CONSERVATION AREA	1.36	4.09	自然保育區
MAJOR ROAD ETC.	0.54	1.63	主要道路等
TOTAL PLANNING SCHEME AREA	33.27	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白沙澳分區計劃大綱圖  
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD  
PAK SHA O - 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/NE-PSO/B

**DRAFT PAK SHA O**  
**OUTLINE ZONING PLAN NO. S/NE-PSO/B**

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

**NOTES**

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

- (1) These Notes show the uses or developments on land falling within the boundaries of the Plan which are always permitted and which may be permitted by the Town Planning Board, with or without conditions, on application. Where permission from the Town Planning Board for a use or development is required, the application for such permission should be made in a prescribed form. The application shall be addressed to the Secretary of the Town Planning Board, from whom the prescribed application form may be obtained.
- (2) Any use or development which is always permitted or may be permitted in accordance with these Notes must also conform to any other relevant legislation, the conditions of the Government lease concerned, and any other Government requirements, as may be applicable.
- (3) No action is required to make the use of any land or building which was in existence immediately before the first publication in the Gazette of the notice of the draft development permission area plan conform to this Plan, provided such use has continued since it came into existence. Any material change of such use or any other development (except minor alteration and/or modification to the development of the land or building in respect of such use which is always permitted) must be always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board.
- (4) 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) in the Remarks in the Notes of the zone or (c) as provided in paragraph (9) in relation to areas zoned “Conservation Area”:
- (a) maintenance, repair or demolition of a building;
  - (b) provision, maintenance or repair of plant nursery, amenity planting, open space, rain shelter, refreshment kiosk, footpath, bus/public light bus stop or lay-by, cycle track, taxi rank, public utility pipeline, electricity mast, lamp pole, telephone booth, telecommunications radio base station, automatic teller machine and shrine;
  - (c) maintenance or repair of road, watercourse, nullah, sewer and drain;
  - (d) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities and waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government;
  - (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 PAK SHA O**  
**OUTLINE ZONING PLAN NO. S/NE-PSO/B**

Schedule of Uses

	<u>Page</u>
VILLAGE TYPE DEVELOPMENT	1
GOVERNMENT, INSTITUTION OR COMMUNITY	4
AGRICULTURE	6
GREEN BELT	8
CONSERVATION AREA	10

VILLAGE TYPE DEVELOPMENT

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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) On-Farm Domestic Structure Religious Institution (Ancestral Hall only) Rural Committee/Village Office	Eating Place Flat Government Refuse Collection Point Government Use (not elsewhere specified)# Hotel (Holiday House only) House Institutional Use (not elsewhere specified)# Public Convenience Public Utility Installation # Religious Institution (not elsewhere specified)# Residential Institution # School # Shop and Services Social Welfare Facility # Utility Installation for Private Project

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(Please see next page)

VILLAGE TYPE DEVELOPMENT(1) (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, 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) Any demolition of or addition, alteration and/or modification to or replacement/redevelopment of an existing building, i.e. a building which was in existence on the date of first publication in the Gazette of the notice of the draft development permission area plan, requires planning permission from the Town Planning Board.
- (c) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(Please see next page)

VILLAGE TYPE DEVELOPMENT (Cont'd)

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

GOVERNMENT, INSTITUTION OR COMMUNITY

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

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(Please see next page)

GOVERNMENT, INSTITUTION OR COMMUNITY (Cont'd)

Planning Intention

This zone is intended primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.

Remarks

- (a) 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 in terms of number of storeys as stipulated on the Plan, 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.

AGRICULTURE

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

Planning Intention

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

(Please see next page)

AGRICULTURE (Cont'd)

Remarks

Any diversion of streams or filling of land/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. This restriction does not apply to filling of land specifically required under prior written instructions of Government department(s) or for the purposes specified below:

- (i) laying of soil not exceeding 1.2m in thickness for cultivation; or
- (ii) construction of any agricultural structure with prior written approval issued by the Lands Department.

GREEN BELT

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

(Please see next page)

GREEN BELT (Cont'd)

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Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
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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

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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 (other than Plant Nursery) Nature Reserve Nature Trail On-Farm Domestic Structure Picnic Area Wild Animals Protection Area	Barbeque Spot Field Study /Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) House (Redevelopment only) Public Convenience Public Utility Installation Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation

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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 PAK SHA O**  
**OUTLINE ZONING PLAN NO. S/NE-PSO/B**

**EXPLANATORY STATEMENT**

**DRAFT PAK SHA O**  
**OUTLINE ZONING PLAN NO. S/NE-PSO/B**

**EXPLANATORY STATEMENT**

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**DRAFT PAK SHA O**  
**OUTLINE ZONING PLAN NO. S/NE-PSO/B**

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

**EXPLANATORY STATEMENT**

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

**1. INTRODUCTION**

This Explanatory Statement is intended to assist an understanding of the draft Pak Sha O Outline Zoning Plan (OZP) No. S/NE-PSO/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 31 October 2012, under the power delegated by the Chief Executive (CE), the Secretary for Development (SDEV) 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 Pak Sha O area.

2.2 On 7 December 2012, the draft Pak Sha O DPA Plan No. DPA/NE-PSO/B was exhibited for public inspection under section 5 of the Ordinance. During the two-month exhibition period, 41 representations were received. On 1 March 2013, the Board published the representations for public comment and in the first three weeks of the publication period, 20 comments were received. After giving consideration to the representations and comments on 26 July 2013, the Board decided to partially uphold 36 representations by proposing amendments to the Notes of the DPA Plan stipulating that ‘House’ and any demolition of or any addition, alternation and/or modification to or redevelopment of an existing building within the “Village Type Development” zone require planning permission from the Board. On 9 August 2013, the proposed amendments to the draft DPA Plan were published under section 6C(2) of the Ordinance. Upon the expiry of the three-week publication period of the proposed amendments to the draft DPA Plan, a total of four valid further representations were received. After giving consideration to the further representations and the related representations and comments under section 6F(1) of the Ordinance on 4 October 2013, the Board decided not to uphold the further representation and to amend the draft DPA Plan by the proposed amendments. In accordance with section 6H of the Ordinance, the draft DPA Plan should hereafter be read as including the above amendments.

2.3 On 7 January 2014, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Pak Sha O DPA Plan, which was subsequently renumbered as DPA/NE-PSO/2. On 17 January 2014, the approved Pak Sha O DPA Plan No. DPA/NE-PSO/2 was exhibited for public inspection under section 9(5) of the Ordinance.

2.4 On 22 May 2015, under the power delegated by the CE, the SDEV directed the Board, under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the Pak Sha O area.

2.5 On XXXX 2015, the draft Pak Sha O OZP No. S/NE-PSO/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 Pak Sha O so that development and redevelopment within the area of Pak Sha O 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 (the 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 Area, covering a total land area of about 33.27 ha, is located at the northern part of the Sai Kung Peninsula. It is encircled by Sai Kung West (SKW) Country Park with Hoi Ha Wan (HHW) Marine Park to its further north. The Area falls entirely within the upper indirect Water Gathering Ground (WGG).

- 5.2 The Area is rural in character comprising mainly regenerated woodland from abandoned agricultural land, dense native woodland and freshwater marshes. Surrounded by SKW Country Park, it is situated along the eastern part of a narrow valley in between Mount Hallows and Shek Uk Shan running towards HHW. The central part of the Area mainly comprises low-lying agricultural land and freshwater marshes and intervening scrubland and woodlands that extend towards the fringe of the Area connecting with the well-established vegetation cover of SKW Country Park.
- 5.3 Agricultural activities were widely undertaken in the whole valley area in the 1960s and 1970s but diminished from the 1980s. Recently, some agricultural land to the north of the village cluster at Pak Sha O has been rehabilitated for active agricultural use. There are stream courses and irrigation systems in the Area running from west to east. The Hoi Ha Ecologically Important Stream (EIS), about 1.4 km in length, and its tributaries feed the surrounding low-lying agricultural lands and regenerated woodlands and some natural freshwater marshes before flowing into HHW.
- 5.4 Pak Sha O and Pak Sha O Ha Yeung are the two recognized villages in the Area. According to the Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department (LCSD), the two villages are outstanding vernacular Hakka villages which are well preserved with a number of interesting historical and cultural heritage buildings, including Ho Residence and Ho Ancestral Hall (Grade 1) and Immaculate Heart of Mary Chapel (Grade 3) at Pak Sha O and King Siu Sai Kui and Hau Fuk Mun (proposed Grade 1) at Pak Sha O Ha Yeung. Some nicely restored old village houses with landscape gardens could also be found in these villages.
- 5.5 The Area is accessible by vehicles via Hoi Ha Road connecting to Pak Tam Road, and a number of hiking trails from Pak Tam Chung, some of which are connected to HHW to the further north. Whilst there is no direct vehicular access to the village clusters of Pak Sha O and Pak Sha O Ha Yeung, there is a walking trail off Hoi Ha Road leading to the two villages. Pak Sha O Youth Hostel, which has been operated by Hong Kong Youth Association since 1975, is situated adjacent to Hoi Ha Road and there is a public toilet to the further south near the walking trail. In Pak Sha O, Immaculate heart of Mary Chapel currently occupied by the Catholic Scout Guild can be found.

## **6. POPULATION**

According to the 2011 Population Census, the total population of the Area was below 50 persons. It is expected that the total planned population of the Area would be 80 persons mainly attributed to the village expansion.

## 7. OPPORTUNITIES AND CONSTRAINTS

### 7.1 Opportunities

#### 7.1.1 Conservation and Natural Landscape

Encircled by SKW Country Park, the Area comprises mainly woodland, scrubland, active agricultural land, low-lying freshwater marshes, streams and village settlements. The woodland is ecologically-linked to the natural habitats in SKW Country Park and supports protected plant species. Many stream tributaries flow through the Area, including a section identified as the Hoi Ha EIS, which is valued for its good water quality and presence of the rare Three-lines Bagrid Fish *Pseudobagrus trilineatus* (三線擬鱔). In general, the Area is natural and rural in character and has high ecological, landscape and scenic value. It is worthy of conservation while the scale of the village development should be compatible with the surrounding landscape and rural setting in particular, the existing vernacular Hakka village setting.

#### 7.1.2 Tourism Recreation and Agriculture Potential

7.1.2.1 With a number of hiking trails and a mountain bike trail connected to the wider areas of SKW Country Park and HHW Marine Park, the Area is popular with hikers/ visitors. The existing footpath of the Area forms part of a hiking trail from Pak Sha O to Lai Chi Cheong and Sham Chung passing through various physical and cultural features such as regenerated woodlands, streams, active agricultural land, dense woodland, the existing village cluster.

7.1.2.2 Currently, some abandoned agricultural land to the north of the village cluster at Pak Sha O has recently been rehabilitated for active agricultural use.

### 7.2 Constraints

#### 7.2.1 Ecological Significance

7.2.1.1 The Area comprises mainly woodland, scrubland, active agricultural land, low-lying freshwater marshes, streams and village settlements. The natural habitats, including the woodlands and freshwater marshes developed from abandoned agricultural land, support species of wildlife. Protected plant species, such as *Aquilaria sinensis* (土沉香), *Pavetta hongkongensis* (香港大沙葉) and *Cibotium barometz* (金毛狗) have been recorded in these woodlands. In particular, the mature (*fung shui*) woodland to the south of the village cluster of Pak Sha O covers an extensive area and an usually large specimen of *Bischofia javanica* (秋楓) has been recorded.

- 7.2.1.2 There is a large stretch of freshwater marsh to the south of the village cluster of Pak Sha O Ha Yeung, where an orchid species, *Liparis ferruginea* (鏽色羊耳蒜), with a limited local distribution is found.
- 7.2.1.3 The Hoi Ha EIS, about 1.4 km in length, is located at the central and southern part of the Area. It is one of the two localities in Hong Kong that are known to support the rare fish species *Pseudobagrus trilineatus* (三線擬鱧).
- 7.2.1.4 In the natural habitats of the Area, rare and very rare butterfly species, such as *Parantica sita* (大絹斑蝶) and *Choaspes jemixanthus* (半黃綠弄蝶) have been recorded. Developments that may adversely affect the natural character and the ecologically sensitive areas are not recommended.

## 7.2.2 Landscape Character

- 7.2.2.1 With reference to the '*Landscape Value Mapping of Hong Kong (2005)*', the Area is classified as of high quality landscape value of an enclosed, tranquil and coherent landscape character. Other landscape features include the traditional village houses and surrounding woodland of Pak Sha O and Pak Sha O Ha Yeung villages as well as the adjacent ornamental and mature tree planting.
- 7.2.2.2 Most of the natural landscape is largely undisturbed, and important landscape resources include the woodlands situated within the Area, the Hoi Ha EIS and its tributaries, low-lying freshwater marshes and existing village settlements. Other than natural landscape, there is a number of interesting historical and cultural heritage buildings, including Ho Residence and Ho Ancestral Hall, Immaculate Heart of Mary Chapel, King Siu Sai Kui, Hau Fuk Mun, and small clusters of well-preserved traditional stone village houses in the Area. Some well maintained ornamental planting with mature trees and landscape garden surround the heritage buildings form a picturesque village of high landscape amenity and cultural value. The traditional village setting of the Area, including the surrounding landscape should be conserved. Any large scale development would cause adverse impact on the existing landscape context and affect the sensitivity of the cultural landscape character of the Area which is not recommended.

### 7.2.3 Cultural Heritage and Vernacular Hakka Village Houses

The two recognized villages within the Area are outstanding vernacular Hakka villages which are well preserved with a number of interesting historical and cultural heritage buildings, including Ho Residence and Ho Ancestral Hall (Grade 1) and Immaculate Heart of Mary Chapel (Grade 3) at Pak Sha O, and King Siu Sai Kui and Hau Fuk Mun (proposed Grade 1) at Pak Sha O Ha Yeung. All the above historic buildings are worthy of preservation.

### 7.2.4 Burial Grounds

Part of a burial ground encroaches upon the north-western fringe of the Area, which is not suitable for development.

### 7.2.5 Water Gathering Ground

According to the Water Supplies Department, the Area is located within the upper indirect WGG. To prevent contamination of waters which are designated for abstraction for potable water supply, any proposed development that may result in any material increase in pollution effect will not be acceptable.

### 7.2.6 Sewerage

There is no existing or planned public sewerage for the Area. At present, on-site discharge system such as septic tanks and soakaway pits are generally used in traditional villages. They would only satisfy the requirements of individual lots. Any increase in population or number of visitors to the Area or further recreation/ residential developments will require additional facilities.

### 7.2.7 Transportation (Road Access)

The Area is accessible via Hoi Ha Road and walking trails connecting to SKW Country Park. At present, Hoi Ha Road is a restricted road and vehicles entering it have to apply for permits from relevant departments. Furthermore, there is no direct vehicular access to the village clusters of Pak Sha O and Pak Sha O Ha Yeung.

### 7.2.8 Infrastructure and Utility Services

The Area is provided with electricity and telephone services. Potable water supply has been provided to the existing facilities and villagers of the Area. However, there are no sewerage and drainage systems within the Area.

### 7.2.9 Geotechnical

The Area is situated in a northeast trending valley covered by superficial deposits including debris flow deposits and alluvium. The solid geology of the Area is coarse ash crystal tuff of the Long Harbour Formation. The Area is overlooked by steep natural hillsides and may be affected by potential natural terrain landslide hazards. Natural terrain hazard studies may be required to ascertain the scale of the hazard and to provide suitable hazard mitigation measures, if found necessary as part of developments within the Area.

## 8. GENERAL PLANNING INTENTION

- 8.1 The general planning intention for the Area is to conserve the high natural landscape and ecological significance of the Area in safeguarding the natural habitat and natural system of the wider area. Apart from environmental and ecological consideration, development in the Area is constrained by limited infrastructure provisions. It is also intended to consolidate village development so as to avoid undesirable disturbances to the natural environment and overtaxing the limited infrastructure in the Area. Since Pak Sha O and Pak Sha O Ha Yeung are outstanding vernacular Hakka villages in the Area and are well-preserved, and that the heritage value of historic buildings partly lies in their original physical environment, the planning intention is also to preserve the existing vernacular Hakka village setting and any change to the existing village setting with possible adverse impact on the heritage value of historic buildings should be avoided.
- 8.2 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.

## 9. LAND-USE ZONINGS

### 9.1 “Village Type Development” (“V”) : Total Area 0.50 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, community and recreational uses may be permitted on application to the Town Planning Board.

- 9.1.2 Pak Sha O and Pak Sha O Ha Yeung are two recognized villages in the Area. The boundaries of 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 and the high conservation value of the existing village clusters, including Ho Residence and Ho Ancestral Hall (Grade 1) at Pak Sha O and King Siu Sai Kui and Hau Fuk Mun (proposed Grade 1) at Pak Sha O Ha Yeung, of the two villages. Areas of difficult terrain, dense vegetation, stream courses and burial grounds have been avoided as far as possible.
- 9.1.3 Noting that Pak Sha O and Pak Sha O Ha Yeung are outstanding vernacular Hakka villages in the Area and are well-preserved, and that the heritage value of historic buildings partly lies in their original physical environment, any change to the existing vernacular Hakka village setting with possible adverse impact on the heritage value of historic buildings and integrity and ambience of the existing village setting should be avoided. Proposed house and any demolition of or any addition, alteration and/or modification to or replacement/redevelopment of an existing building requires planning permission from the Board. Prior consultation with AMO of LCSD should be made if any development, redevelopment or rezoning proposals might affect the above historic buildings, new items pending grading assessment and their immediate environs.
- 9.1.4 Except for those specified, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23 m) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft DPA plan, whichever is the greater.
- 9.1.5 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height restriction may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.
- 9.1.6 Some areas are overlooked by steep natural hillsides and may be affected by potential natural terrain landslide hazards. For future development in these areas, the developer(s) may be required to carry out natural terrain hazard study and provide suitable hazard mitigation measures, if found necessary, as part of the development.

- 9.1.7 In accordance with the 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 the Agriculture, Fisheries and Conservation Department (AFCD) and relevant authorities and incorporate relevant comments/advice as conditions of approval wherever possible. Accordingly, the Lands Department (LandsD) when processing Small House grant applications in close proximity to existing stream courses, should consult concerned departments including AFCD and the Planning Department to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.
- 9.1.8 As diversion of streams or filling of pond may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.
- 9.1.9 There is neither existing nor proposed public sewer in the Area. In addition, the Area falls entirely within the upper indirect WGG. For any village type development, it should be demonstrated that the water quality within WGG will not be affected by the proposals. In general, the use of septic tank and soakaway systems for sewage treatment and disposal is considered as an unacceptable means for new village developments located in 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.
- 9.2 "Government, Institution or Community" ("G/IC") : Total Area 0.52 ha
- 9.2.1 The planning intention of this zone is primarily for the provision of government, institution and community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the government organizations providing social services to meet community needs, and other institutional establishments.
- 9.2.2 Three sites are zoned "G/IC", namely Pak Sha O Youth Hostel, Immaculate Heart of Mary Chapel and a public toilet located to the south of the youth hostel. Pak Sha O Youth Hostel was converted from an abandoned village school comprising of three school blocks providing about 110 bed spaces and some camping sites in September 1975. The simple architectural design of the building blocks with one to two storeys in height integrates with the surrounding landscape. Trees and ornamental planting are found within and adjacent to the hostel along the existing footpath. The character of the building and the adjoining landscape are compatible to the landscape context of the Area.

- 9.2.3 Immaculate Heart of Mary Chapel is located to the south of Pak Sha O Village. The chapel is a Grade 3 historic building of one storey in height probably built between 1915 and 1923. In 1982, the chapel was converted by the Catholic Diocese of Hong Kong into a tent site and a training camp. The site is currently being occupied by the Catholic Scout Guild.
- 9.2.4 The public toilet to the south of Pak Sha O Youth Hostel is one storey in height. It is managed and maintained by the Food and Environmental Hygiene Department.
- 9.2.5 To preserve the rural and low-rise character of the Area as well as provide spatial and visual relief, development/redevelopment within this zone should be restricted to the maximum building heights as stipulated on the Plan 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 greater.
- 9.2.6 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height-restrictions may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.
- 9.3 “Agriculture” (“AGR”) : Total Area 1.49 ha
- 9.3.1 The planning intention of this zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.
- 9.3.2 Recently, plots of abandoned agricultural land adjoining the EIS to the north of the village cluster of Pak Sha O across the woodland have been rehabilitated for agricultural purpose. To reflect the active agricultural use on site, it is proposed to designate the area as “AGR”.
- 9.3.3 As the diversion of streams or filling of land/pond may cause adverse impacts on the natural environment and the ecological value of the adjacent area, planning approval is required for such activities. However, filling of land specifically required under prior written instructions of Government department(s), or for the purpose of genuine agricultural practice including laying of soil not exceeding 1.2m thickness for cultivation, and construction of agricultural structure with prior written approval from the Lands Department is exempted from the control.

9.4 “Green Belt” (“GB”) : Total Area 28.86 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 Numerous tree species such as *Cinnamomum parthenoxylon* (黃樟), *Bischofia javanica* (秋楓), *Schefflera heptaphylla* (鵝掌柴), *Cratoxylum cochinchinense* (黃牛木), *Viburnum odoratissimum* (珊瑚樹), *Sterculia lanceolata* (假萍婆), *Machilus spp.* (楠屬), *Aporosa dioica* (銀柴) and *Symplocos spp.* (山礬) etc, together with understory planting are found in the eastern part of regenerated woodland at the entrance to the Pak Sha O village cluster. Medium sized common woodland tree species such as *Sapium sebiferum* (烏柏), *Cleistocalyx nervosum*(水翁) etc. are found within the western part of the regenerated woodland located to the west of Pak Sha O. Most of the area in Pak Sha O Ha Yeung is natural woodland with mature trees, such as *Viburnum odoratissimum* (珊瑚樹), *Cinnamomum parthenoxylon* (黃樟), *Cleistocalyx nervosum* (水翁), *Ficus variegata* (青果榕) etc. and the downstream of the Hoi Ha EIS and hillside tributaries are found to the east. Protected plant species such as *Aquilaria sinensis* (土沉香), *Pavetta hongkongensis* (香港大沙葉) and *Cibotium barometz* (金毛狗) have been found in the woodlands of the Area.
- 9.4.3 Many stream tributaries flow through the Area including a section identified as the Hoi Ha EIS. The EIS is valued for its good water quality and presence of the rare Three-lines Bagrid Fish *Pseudobagrus trilineatus* (三線擬鱔). Pak Sha O is one of the two localities in Hong Kong where this species can be found. The EIS and the tributaries feed the surrounding low-lying active agricultural lands and regenerated woodlands supporting woodland habitats and some natural freshwater marshes.
- 9.4.4 The areas zoned “GB” comprise mainly woodlands, scrublands and streams, including the EIS and its riparian zone. Designation of “GB” would conserve and maintain the integrity of the vast secondary woodland including woodland on the hillslopes which are contiguous with SKW Country Park and conserve the natural and rural character of the Area.
- 9.4.5 Part of a traditional burial ground which encroaches upon the north-western fringe of the Area is within this zone. It has been in existence for many years, and is considered as an existing use intended for the burial of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities within this zone are generally tolerated.

9.4.6 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.

9.4.7 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 except public works co-ordinated or implemented by government, and maintenance, repair or rebuilding works.

9.5 “Conservation Area” (“CA”) : Total Area 1.36 ha

9.5.1 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 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 mature (*fung shui*) woodland on the hillsides forming a backdrop for the Pak Sha O village cluster at the southern part of the Area is zoned “CA”. An usually large specimen of *Bischofia javanica* (秋楓) has been recorded.

9.5.3 Another “CA” zone covers the large stretch of freshwater marsh to the south of the village cluster of Pak Sha O Ha Yeung, where an orchid species, *Liparis ferruginea* (鏽色羊耳蒜), with a limited local distribution is found.

9.5.4 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.

## 10. COMMUNICATIONS

10.1.1 The Area is accessible by vehicles via Hoi Ha Road, which is a restricted road and vehicles entering it have to apply for permits from relevant departments. It is also accessible by a number of hiking trails connected to the wider areas of SKW Country Park.

10.1.2 However, there is no direct vehicular access to the village clusters of Pak Sha O and Pak Sha O Ha Yeung. The two villages are accessible by footpaths branching off Hoi Ha Road.

## **11. CULTURAL HERITAGE**

11.1 Within the Area, there are graded and proposed graded historic buildings, namely Ho Residence and Ho Ancestral Hall (Grade 1) and Immaculate Heart of Mary Chapel (Grade 3) at Pak Sha O, and King Siu Sai Kui and Hau Fuk Mun (proposed Grade 1) at Pak Sha O Ha Yeung. All the above historic buildings are worthy of preservation.

11.2 The Antiquities Advisory Board (AAB) has released a list of new items in addition to the list of 1,444 historic buildings. These items are subject to grading assessment by AAB. Details of the list of 1,444 historic buildings and the new items have been uploaded onto the website of AAB at <http://www.aab.gov.hk>.

11.3 Prior consultation with AMO of LCSD should be made if any development, redevelopment or rezoning proposals might affect the above historic buildings, new items pending grading assessment and their immediate environs.

## **12. UTILITY SERVICES**

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

## **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.

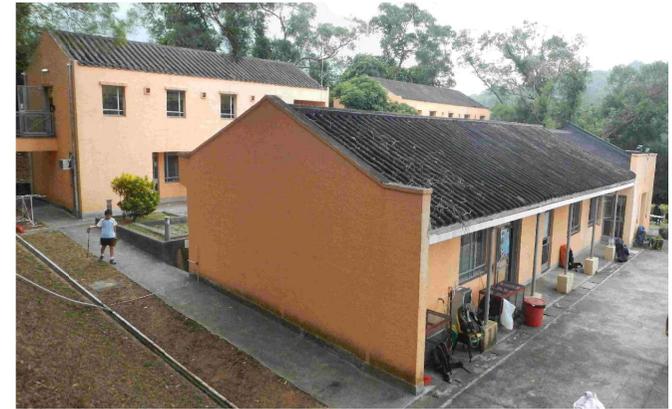
13.2 At present there is no overall programme for the provision of infrastructure within the Area. The implementation process will be gradual and may stretch over a long period of time depending on the availability of resources. It will be undertaken through the participation of both the public and private 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".

# PLANNING REPORT ON PAK SHA O



**PLANNING REPORT ON  
PAK SHA O  
JULY 2015**

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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 Pak Sha O area (the Area). It also aims to 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 of the Area.

### 1.2 Background

1.2.1 The Area is located at the northern part of the Sai Kung Peninsula and is accessible by vehicles via Hoi Ha Road. The Area is encircled by Sai Kung West (SKW) Country Park and to the further north lies Hoi Ha Wan (HHW) (**Figures 1 and 3**).

1.2.2 With a scenic setting, the Area is rural in character comprising mainly woodland developed from abandoned agricultural land, native woodland and freshwater marshes. There are two recognized villages in the Area including Pak Sha O and Pak Sha O Ha Yeung.

1.2.3 Hoi Ha Road bisects the Area into two portions, namely the western portion where Pak Sha O is situated and the eastern portion where Pak Sha O Ha Yeung is located. The tranquil rural area and village settlements coupled with woodlands of the surrounding country park have a high landscape value which complements the overall natural environment and the landscape beauty of the surrounding SKW Country Park. With a number of hiking trails and a mountain bike trail connected to the wider areas of SKW Country Park and HHW Marine Park, the Area is popular with tourists.

1.2.4 Any large-scale and uncontrolled development may affect the natural environment including the ecological and landscape value of the Area. In 2012, excavation works with vegetation clearance to the north of the village cluster of Pak Sha O was detected<sup>1</sup>. There was an urgent need to prepare a development permission area (DPA) plan for the Area to facilitate proper planning control and enforcement. Under the power delegated by the Chief Executive (CE), on 31.10.2012, the Secretary of Development directed the Town Planning Board (the Board) to prepare a draft plan designating the Area as a DPA.

1.2.5 On 7.12.2012, the draft Pak Sha O DPA Plan No. DPA/NE-PSO/1 was exhibited for public inspection under section 5 of the Ordinance (**Figure 2**). During the plan exhibition period, a total of 41 representations and 20 comments were received<sup>2</sup>. After giving consideration to the representations and comments, on 26.7.2013, the Board decided to partially uphold 36 representations by proposing amendments to the Covering Notes and Schedules of Uses of the “V” zone so that any proposed ‘House’ and any demolition of or addition, alteration and/or modification to or replacement/redevelopment of an existing building within the “V” zone require planning permission from the Board.

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<sup>1</sup> The area was subsequently cleared for agricultural use and is currently under active cultivation.

<sup>2</sup> Representations were received from village representatives of Pak Sha O, Sai Kung North Rural Committee (SKNRC), Friends of Hoi Ha, Friends of Sai Kung, Designing Hong Kong Ltd., Kadoorie Farm & Botanic Garden Corp. (KFBG), Green Power, The Conservancy Association, World Wide Fund Hong Kong, Hong Kong Youth Hostels Association and individuals.

- 1.2.6 On 9.8.2013, the proposed amendments to the draft DPA Plan were published under section 6C(2) of the Ordinance. Upon the expiry of the three-week publication period of the proposed amendments to the draft DPA Plan, a total of four valid further representations were received including Heung Yee Kuk and individuals. After giving consideration to the further representations and the related representations and comments under section 6F(1) of the Ordinance on 4.7.2013, the Board decided not to uphold the further representation and to amend the draft DPA Plan by the proposed amendments. In accordance with section 6(H) of the Ordinance, the draft DPA Plan should hereafter be read as including the amendments.
- 1.2.7 On 7.1.2014, the Chief Executive in Council (CE in C), under 9(1)(a) of the Ordinance, approved the draft Pak Sha O DPA Plan, which was subsequently renumbered as DPA/NE-PSO/2. On 17.1.2014, the approved Pak Sha O DPA Plan No. DPA/NE-PSO/2 was exhibited for public inspection under section 9(5) of the Ordinance.
- 1.2.8 Pursuant to section 20(5) of the Ordinance, the DPA Plan is effective for three years until 7.12.2015. On 22.5.2015, the 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, covering a total land area of about 33.27 ha, is surrounded by SKW Country Park with HHW Marine Park to the further north. The location of the Area is shown in **Figures 1 to 3**.

### 2.2 Natural Features

#### *Physical Setting and Topography*

2.2.1 Surrounded by SKW Country Park, the Area is situated along the eastern part of a narrow valley in between Mount Hallows and Shek Uk Shan running towards HHW. Agricultural activities were widely undertaken in the whole valley area in the 1960 and 1970 but diminished from the 1980 (**Figures 4a and 4b**). Recently, some agricultural land to the north of the village cluster at Pak Sha O has been rehabilitated for active agricultural use (**Figure 4c**). There are stream courses and irrigation systems in the Area running from west to east. The Hoi Ha Ecologically Important Stream (EIS), about 1.4 km in length, and its tributaries feed the surrounding low-lying agricultural lands and regenerated woodlands and some natural freshwater marshes before flowing into HHW. Currently, the central part of the Area mainly comprises active agricultural land and freshwater marshes and intervening scrubland and woodland, including those regenerated from abandoned agricultural land, surrounded on four sides by shrubs and woodland connecting with the well-established vegetation of SKW Country Park.

#### *Natural Habitats (Figures 5a-5g)*

2.2.2 Amid the SKW Country Park, the Area has high ecological and landscape value, forming part of the wider natural environment of the surrounding country park. Details of the natural habitats are listed below:

#### Native Secondary Woodlands (**Figures 5b to 5d**)

- (i) The Area is mostly covered with woodland which comprises regenerated woodland from abandoned agricultural land situated in the valley and native woodlands situated to the south of Pak Sha O.
- (ii) Numerous trees species such as *Cinnamomum parthenoxylon* (黃樟), *Bischofia javanica* (秋楓), *Schefflera heptaphylla* (鵝掌柴), *Cratoxylum cochinchinense* (黃牛木), *Viburnum odoratissimum* (珊瑚樹), *Sterculia lanceolata* (假萍婆), *Machilus spp.* (楠屬), *Aporosa dioica* (銀柴) and *Symplocos spp.* (山礬) etc, together with understory planting are found in the eastern part of regenerated woodland at the entrance to the Pak Sha O village cluster. Medium sized common woodland tree species such as *Sapium sebiferum* (烏柏), *Cleistocalyx nervosum* (水翁) etc. are found within the western part of the regenerated woodland located to the west of Pak Sha O. Protected plant species such as *Aquilaria sinensis* (土沉香), *Pavetta hongkongensis* (香港大沙葉) and *Cibotium barometz* (金毛狗) have been found in the woodlands of the Area.
- (iii) The mature (*fung shui*) woodland to the south of Pak Sha O is natural and undisturbed. It covers part of Hoi Ha EIS and serves as a green backdrop for Pak Sha O.

There is dense foliage of mature native trees that are in good health and tree form. An usually large specimen of *Bischofia javanica* (秋楓) has been recorded.

- (iv) Most of the vegetation in Pak Sha O Ha Yeung is of similar nature to Pak Sha O, the woodlands are largely undisturbed and integrated with the surrounding SKW Country Park. Some trees species of *Machilus spp.* (楠屬) are found near the village. Mature fruit trees are located near the entrance and surround the historical building of King Siu Sai Kui.

#### Agricultural Land (Figure 5e)

- (v) Fallow agricultural land is mainly situated at the flat land along the lower slopes in the central part of the Area. These fallow fields have since regenerated into secondary woodland, freshwater marshes and shrubby grassland, etc. In 2012, excavation works with vegetation clearance were carried out at the north of the village cluster of Pak Sha O and the area was subsequently used for agricultural purpose.

#### Rivers, Streams and Freshwater Marshes (Figures 5f and 5g)

- (vi) Many stream tributaries flow through the Area including a section identified as the Hoi Ha EIS. The EIS is valued for its good water quality and presence of the rare Three-lines Bagrid Fish *Pseudobagrus trilineatus* (三線擬鱧). Pak Sha O is one of the two localities in Hong Kong where this species can be found. The EIS and the tributaries feed the surrounding low-lying active agricultural lands and support the regenerated woodlands habitats and create some natural freshwater marshes which eventually lead towards HHW.

- (vii) There is a large stretch of freshwater marsh to the south of the village cluster of Pak Sha O Ha Yeung, where an orchid species, *Liparis ferruginea* (鏽色羊耳蒜), with a limited local distribution is found.

- (viii) According to AFCD, in a number of natural habitats of the Area, rare and very rare butterfly species, such as *Parantica sita* (大絹斑蝶) and *Choaspes hemixanthus* (半黃綠弄蝶) have been recorded.

### 2.3 Historical Development (Figures 6b to 6d)

2.3.1 Pak Sha O and Pak Sha O Ha Yeung are the two recognized villages in the Area. According to the Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department (LCSD), the two are outstanding vernacular Hakka villages which are well preserved with a number of interesting historical and cultural heritage buildings, including Ho Residence and Ho Ancestral Hall (Grade 1) and Immaculate Heart of Mary Chapel (Grade 3) at Pak Sha O and King Siu Sai Kui and Hau Fuk Mun (proposed Grade 1) at Pak Sha O Ha Yeung.

2.3.2 Ho Residence and Ho Ancestral Hall (Grade 1) were built in 1911-1915 and have extremely high built heritage value (Figure 6b). The compound is a rare combination of residential units, an ancestral hall and a watchtower to showcase the historic glory of the Ho family. Since the 1980s, the residence has been rented out for residential use.

2.3.3 Immaculate Heart of Mary Chapel (Grade 3) (Figure 6c) was probably built between 1915 and 1923. The chapel was one of the earliest churches to be built in Sai Kung. The chapel

was badly damaged during the Second World War, but was restored thereafter. Since the 1960s, the religious activities gradually faded as villagers emigrated to Britain. In 1982, the Chapel was converted by the Catholic Diocese of Hong Kong into a tent site and training camp. The site is currently being occupied by the Catholic Scout Guild.

- 2.3.4 King Siu Sai Kui and Hau Fuk Mun (proposed Grade 1) forms the Yungs mansion at Pak Sha O Ha Yeung (**Figure 6d**). King Siu Sai Kui is a prominent Hakka terrace house built in 1918. Hau Fuk Mun, a white house next to King Siu Sai Kui was built in 1940 for *fungshui* reasons. In the 1960s, the Yung descendants maintained a self-sufficient living at the mansion, growing fruits, crops and rice. Since 1981, part of the King Siu Sai Kui and Hau Fuk Mun, have been rented by a non-indigenous resident, who has devoted himself to restoring the mansion. Adjacent to the historic building is an aviary surrounded by a beautiful landscape garden.

## 2.4 Population and Employment

According to the 2011 Population Census, the population of the Area was below 50 persons. The Area is popular with tourists as there are a number of hiking trails passing through the Area, some of which connect to HHW Marine Park and Lai Chi Cheong. A mountain bike trail falls immediately outside the Area connecting to Sham Chung, Yung Shue O and Pak Tam (**Figure 8**). There is a youth hostel which has been operated by the Hong Kong Youth Association since 1975, namely Pak Sha O Youth Hostel. Furthermore, active farming activities have been carried out since a few years ago at the southern part of the Area, just north of the Pak Sha O village cluster.

## 2.5 Existing Land Uses (Figures 6a to 6g)

The Area is rural in character comprising mainly woodland and freshwater marshes developed from abandoned agricultural land with native woodland in the surrounding hillsides. Pak Sha O and Pak Sha O Ha Yeung are located at the south-western and north-eastern parts of the Area respectively. The major existing land uses include the following:

### *Village Type Development (Figures 6b to 6e(iv))*

- 2.5.1 Pak Sha O and Pak Sha O Ha Yeung are the two recognized villages within the Area. It is noted by the AMO of the LCSD that the village houses in these two villages are outstanding vernacular Hakka villages in the Area and are well-preserved. Pak Sha O, a one-time Hakka village, is currently occupied by a few non-indigenous families. Some nicely restored old village houses with beautiful gardens can be found in the village. King Siu Sai Kui and Hau Fuk Mun with an adjacent aviary surrounded by a landscape garden located at Pak Sha O Ha Yeung is currently occupied by a non-indigenous family.

### *Government, Institution or Community (GIC) Facilities (Figures 6c and 6f)*

- 2.5.2 Major GIC facilities in the Area to meet the community needs include Pak Sha O Youth Hostel, Immaculate Heart of Mary Chapel and a public toilet. The site of Pak Sha O Youth Hostel is held under Government Land Licence (GLL) No. T20021, which has been granted to Hong Kong Youth Association. The youth hostel was converted from an abandoned village school comprising of three school blocks providing about 110 bed spaces and some camping sites in September 1975. The simple architectural design of the building blocks with one to two storeys in height integrates with the surrounding landscape. Trees and ornamental

planting are found within and adjacent to the hostel along the existing footpath. The character of the building and adjoining landscape are compatible to the landscape context of the Area.

2.5.3 Immaculate Heart of Mary Chapel (Lot 1752 in DD 290) is located to the south of the Pak Sha O village houses. The chapel is a Grade 3 historic building of one storey in height probably built between 1915 and 1923. In 1982, the chapel was converted by the Catholic Diocese of Hong Kong into a tent site and training camp. The site is currently being occupied by the Catholic Scout Guild.

2.5.4 The public toilet to the south of Pak Sha O Youth Hostel is one storey in height. It is managed and maintained by the Food and Environmental Hygiene Department.

#### *Cultural Heritage Resources*

2.5.4 Within the Area, there are graded and proposed graded historic buildings, namely Ho Residence and Ho Ancestral Hall (Grade 1) and Immaculate Heart of Mary Chapel (Grade 3) at Pak Sha O and King Siu Sai Kui and Hau Fuk Mun (proposed Grade 1) at Pak Sha O Ha Yeung. All the above historic buildings are worthy of preservation.

#### *Burial Grounds (Figure 7)*

2.5.5 A piece of permitted burial grounds is located on the hillslopes along the north-western fringe of the Area.

## **2.6 Land Ownership**

About 55% of the land in the Area is Government land. The remaining 45% are private land comprising mainly abandoned agricultural land (**Figure 7**).

## **2.7 Transportation and Access**

At present, the Area is accessible by vehicles via Hoi Ha Road leading from Pak Tam Road and a number of hiking trails from Pak Tam Chung, some of which are connected to HHW to the further north (**Figures 6g and 8**). Whilst there is no direct vehicular access to the village clusters of Pak Sha O and Pak Sha O Ha Yeung, there is a walking trail off Hoi Ha Road leading to the two villages.

## **2.8 Infrastructure and Utility Services**

The Area is provided with electricity and telephone services. Potable water supply has been provided to the existing facilities and villagers of the Area. However, there are no sewerage and drainage systems within the Area.

### 3. Planning Analysis

#### 3.1 Strategic Planning Context

- 3.1.1 Given the natural environment, high ecological and landscape value coupled with the well preserved vernacular Hakka rural village setting, the planning framework for the Area should fundamentally be for preservation of the natural and rural environment. Any large-scale development is not recommended to protect and preserve the ecological and landscape resources in addition to preserving the rural setting of the two villages.
- 3.1.2 With reference to the ‘*Landscape Value Mapping of Hong Kong (2005)*’ the Area is classified as of high quality landscape value of an enclosed, tranquil and coherent landscape character. Other landscape features include the traditional village houses and surrounding woodland of Pak Sha O and Pak Sha O Ha Yeung villages as well as the adjacent ornamental and mature tree planting.

#### 3.2 Environmental and Conservation Considerations (Figure 9)

- 3.2.1 Encircled by the SKW Country Park on all four sides, the Area comprises mainly woodland, shrubland, active agricultural land, low-lying freshwater marshes, streams and village settlements. Many stream tributaries flow through the Area, including a section identified as the Hoi Ha EIS, which is valued for its good water quality and presence of the rare Three-lines Bagrid Fish *Pseudobagrus trilineatus* (三線擬鱔). Pak Sha O is one of the two localities in Hong Kong where this species can be found.
- 3.2.2 The tranquil rural area and village settlements coupled with woodlands of the surrounding country park have a high

landscape value which complements the overall natural environment and the landscape beauty of the surrounding SKW Country Park.

#### 3.3 Development Constraints (Figure 10)

##### *Ecological Significance*

- 3.3.1 The Area comprises mainly woodland, shrubland, active agricultural land, low-lying freshwater marshes, streams and village settlements. The natural habitats, including the woodlands and freshwater marshes developed from abandoned agricultural land, support species of wildlife. Protected plant species, such as *Aquilaria sinensis* (土沉香), *Pavetta hongkongensis* (香港大沙葉) and *Cibotium barometz* (金毛狗) have been recorded in these woodlands. In particular, the mature (*fung shui*) woodland to the south of the village cluster of Pak Sha O covers an extensive area and an usually large specimen of *Bischofia javanica* (秋楓) has been recorded.
- 3.3.2 The Hoi Ha EIS, about 1.4 km in length, is located at the central and southern part of the Area. It is one of the two localities in Hong Kong that are known to support the rare fish species *Pseudobagrus trilineatus* (三線擬鱔).
- 3.3.3 There is a large stretch of freshwater marsh to the south of the village cluster of Pak Sha O Ha Yeung, where an orchid species, *Liparis ferruginea* (鏽色羊耳蒜), with a limited local distribution is found.
- 3.3.4 From the nature conservation perspective, developments that may adversely affect the natural character and the ecologically sensitive areas are not recommended.

*Landscape Character*

3.3.4 With reference to the ‘*Landscape Value Mapping of Hong Kong (2005)*’, the Area is classified as of high quality landscape value of an enclosed, tranquil and coherent landscape character. Other landscape features includes high landscape amenity of adjacent ornamental and mature tree planting, traditional village houses and surrounding woodland of Pak Sha O and Pak Sha O Ha Yeung villages are all of high cultural landscape value. Most of the natural landscape is largely undisturbed, and the important landscape resources include the woodlands situated within the Area, Hoi Ha EIS and its tributaries, low-lying freshwater marshes and existing village settlements. Other than natural landscape, there are a number of interesting historical and cultural heritage buildings, including Ho Residence and Ho Ancestral Hall, Immaculate Heart of Mary Chapel, King Siu Sai Kui, Hau Fuk Mun, and small clusters of well-preserved traditional stone village houses in the Area. Some well maintained ornamental planting with mature trees and landscape garden surround the heritage buildings form a picturesque village of high landscape amenity and cultural value. The traditional village setting of the Area, including the surrounding landscape should be conserved.

*Cultural Heritage and Vernacular Hakka Village Houses*

3.3.5 Within the Area, there are graded and proposed graded historic buildings. Ho Residence and Ho Ancestral Hall (Grade 1) and Immaculate Heart of Mary Chapel (Grade 3) are located at Pak Sha O. King Siu Sai Kui and Hau Fuk Mun (proposed Grade 1) is located at Pak Sha O Ha Yeung. All the above historic buildings are worthy of preservation.

3.3.6 Noting that Pak Sha O and Pak Sha O Ha Yeung are outstanding vernacular Hakka villages in the Area and are well-preserved, and that the heritage value of historic buildings partly lies in their original physical environment, any change to the existing vernacular Hakka village setting with possible adverse impact on the heritage value of historic buildings should be avoided.

3.3.7 Prior consultation with the AMO of the LCSD, Architectural Services Department (ArchSD) and Planning Department (PlanD) should be made if any development, redevelopment or rezoning proposals might affect the above historic buildings, new items pending grading assessment and their immediate environs.

*Burial Grounds*

3.3.8 Part of a burial ground encroaches upon the north-western fringe of the Area, which is not suitable for development.

*Transportation*

3.3.9 The Area is accessible via Hoi Ha Road and walking trails connecting to SKW Country Park. At present, Hoi Ha Road is a restricted road and vehicles entering it have to apply for permits from relevant departments. Furthermore, there is no direct vehicular access to the village clusters of Pak Sha O and Pak Sha O Ha Yeung.

*Water Gathering Grounds*

3.3.10 According to Water Supplies Department (WSD), the Area is located within the upper indirect WGG. To prevent contamination of waters which are designated for abstraction for potable water supply, any proposed development that may

result in any material increase in pollution effect will not be acceptable.

#### *Sewerage*

- 3.3.11 There is no existing or planned public sewerage for the Area. At present, on-site discharge system such as septic tanks and soakaway pits are generally used in traditional villages. They would only satisfy the requirements of individual lots. Any increase in population or number of visitors to the Area or further recreation/ residential developments will require additional facilities.

#### *Infrastructure and Utility Services*

- 3.3.12 The Area is provided with electricity and telephone services. Potable water supply has been provided to the existing facilities and village houses in the Area. However, there is no existing or planning drainage system in the Area.

#### *Geotechnical*

- 3.3.13 The Head of Geotechnical Engineering Office (GEO) of the Civil Engineering and Development Department advises that the Area is situated in a northeast-trending valley covered by superficial deposits including debris flow deposits and alluvium. The solid geology of the Area is coarse ash crystal tuff of the Long Harbour Formation. The Area is overlooked by steep natural hillsides and may be affected by potential natural terrain landslide hazards. Natural terrain hazard studies may be required to ascertain the scale of the hazard and to provide suitable hazard mitigation measures, if found necessary, as part of the developments within the Area.

### **3.4 Development Opportunities**

#### *Conservation and Natural Landscape*

- 3.4.1 Encircled by the SKW Country Park, the Area is natural and rural in character with high landscape and scenic value. It is worthy of conservation while the scale of the village development should be compatible with the surrounding landscape and rural setting, in particular, the existing vernacular Hakka village setting.

#### *Tourism Recreation and Agriculture Potential*

- 3.4.2 With a number of hiking trails and a mountain bike trail connected to the wider areas of SKW Country Park and HHW Marine Park, the Area is popular with hikers/ visitors. The existing footpath of the Area forms part of a hiking trail from Pak Sha O to Lai Chi Cheong and Sham Chung passing through various physical and cultural features such as regenerated woodlands, streams, active agricultural land, dense woodland, the existing village cluster.
- 3.4.3 Currently, some abandoned agricultural land to the north of the village cluster at Pak Sha O has recently been rehabilitated for active agricultural use.

### **3.5 Development Pressure**

- 3.5.1 Since the gazettal of the draft DPA Plan on 7.12.2012, one planning application at the “Unspecified Use” of the Area for a proposed Small House was received in March 2015 which was subsequently withdrawn by the applicant.
- 3.5.2 Pak Sha O and Pak Sha O Ha Yeung are the two recognized villages within the Area. According to the advice of District Lands Officer/ Tai Po Lands Department (DLO/TP, LandsD)

in 2015, the outstanding Small House demand are 38 for Pak Sha O and 7 for Pak Sha O Ha Yeung. The 10-year Small House demand forecast provided by the Indigenous Inhabitant Representative (IIR) of Pak Sha O is 190. For Pak Sha O Ha Yeung, the corresponding 10-year forecast is not available as there is no IIR for the village.

### **3.6 Development Proposals/Views Received in the Course of Preparation of the Plan**

3.6.1 During the preparation of the OZP, some views and proposals were received from informal meetings with concerned parties. They are summarised in the following paragraphs.

3.6.2 A Green Group, KFBG indicated that important features and native species should be conserved and protected from development and proposed that:

- (a) Conservation zoning should be designated for areas covered by mature woodland to the south of Pak Sha O, secondary woodlands, freshwater marshes, Hoi Ha EIS and its tributaries as well as the riparian zones.
- (b) The “V” zone should be confined to a minimum without expansion.
- (c) Should the active agricultural areas be zoned “Agriculture” (“AGR”), it should be stipulated in the Notes that development of Small House was not permitted and redevelopment of existing houses required planning permission from the Board.

3.6.3 The Chairman of SKNRC and IIR of Pak Sha O put forth the following proposals:

- (a) The “V” zone of the Pak Sha O should be extended to the immediate north of the existing cluster to cater for the Small House demand.
- (b) The statutory planning restrictions of the “V” zone on the current DPA plan (i.e. proposed new Small Houses and any demolition of or addition, alteration and/or modification to or replacement/redevelopment of an existing building within the “V” zone requiring planning permission from the Board) should be removed from the “V” zone of the future OZP.
- (c) Areas under agricultural activities should be covered by the “AGR” zoning.
- (d) The Government should provide new access roads and communal sewage treatment facilities to facilitate development of the Area.

## **4. Planning Proposals**

### **4.1 The Outline Zoning Plan**

The draft Pak Sha O 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 Pak Sha O DPA Plan No. DPA/NE-PSO/2 which was exhibited for public inspection under section 9(5) of the Ordinance on 17.1.2014. Uses and development that are always permitted and those for which the Board’s permission must be sought in various zone 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 planning objectives:

- (a) to provide a comprehensive planning framework to guide the development on an integrated and co-ordinated basis;
- (b) to conserve the 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, heritage and rural character of the Area.

## 4.3 Planning Principles

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

- (a) Encircled by the SKW Country Park, and comprising mainly woodland, shrubland, fallow agricultural land, low-lying freshwater marshes, stream courses including Hoi Ha EIS and village settlements, the Area forms part of the wider natural environment of the SKW Country Park. In general, the Area is natural and rural in character and has high landscape and scenic value. The natural environment and landscape and the rural setting should be preserved and protected.
- (b) Small House development in the 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 low-rise characteristics and should not overtax the limited infrastructure.

- (c) Development within the “V” zone should be compatible with the existing landscape context of the historic buildings and would not affect the integrity and ambience of the existing village setting. To this end, proposed new houses and any demolition of or addition, alteration and/or modification to or replacement/redevelopment of an existing building within the “V” zone would require planning permission from the Board.

## 4.4 Land Use Proposals

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 (**Figure 11**).

### 4.4.2 Village Type Development (“V”) (0.50 ha or 1.50%)

- (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, community and recreational uses may be permitted on application to the Town Planning Board.
- (b) Pak Sha O and Pak Sha O Ha Yeung are two 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, Small House demand forecast, local topography and site constraints and the high conservation value of the existing village clusters, including Ho Residence and Ho Ancestral Hall (Grade 1) at Pak Sha O and King Siu Sai Kui and Hau Fuk Mun (proposed Grade 1) at Pak Sha O Ha Yeung, of the two villages. Areas of difficult terrain, dense vegetation, stream courses and burial grounds have been avoided as far as possible.

- (c) According to the 2011 Population Census, the population in the Area is below 50. DLO/TP, LandsD has advised that the latest total Small House demand are 228 for Pak Sha O (comprising the outstanding Small House demand of 38 and the 10-year Small House demand forecast of 190) and 7 for Pak Sha O Ha Yeung (comprising only the outstanding Small House demand of 7). It is noted that there is a substantial increase in the 10-year Small House demand from 49 to 190 for Pak Sha O when compared with the previous corresponding figure<sup>3</sup> when preparing the DPA Plan in 2012. As the substantial increase in Small House demand forecast is not supported by evidence and not verified, the “V” boundaries are prepared based on the previous 10-year forecast. The total Small house demand would be 87 for Pak Sha O (i.e. the current outstanding demand (38) in 2015 plus the previous 10-year forecast (49) in 2012). Based on PlanD’s preliminary estimate, land required for meeting Small House demand of 87 for Pak Sha O

and 7 for Pak Sha O Ha Yeung is about 2.18 ha and 0.18 ha respectively (**Table 1**).

- (d) PlanD has analysed the site conditions of the area within ‘VE’ taking into account of the existing village settlement, environmental conditions, natural terrain and topography. Pak Sha O is located adjacent to mature natural woodland connecting to SKW Country Park in the south. Land within the ‘VE’ comprises the existing village clusters of Pak Sha O, active agricultural land with stream courses including the EIS in the central and southern part of the Area, secondary woodland developed from abandoned agricultural land and native woodland to the south of the village. As for Pak Sha O Ha Yeung, land within the ‘VE’ comprises the existing village houses at the toe of hillslopes in the northern part of the Area, the adjoining low-lying abandoned agricultural land that has developed into freshwater marshes and secondary woodland, native woodland on the hillside and stream courses in the northern part of the Area.
- (e) The two existing core village clusters are outstanding vernacular Hakka villages in the Area and are well-preserved with historical buildings, such as Ho Residence and Ho Ancestral Hall (Grade 1) at Pak Sha O and King Siu Sai Kui and Hau Fuk Mun (proposed Grade 1) at Pak Sha O Ha Yeung (**Figures 6b to 6d**). As the heritage value of historic buildings partly lies in their original physical environment, any change to the existing vernacular Hakka village setting with possible adverse impact on the heritage value of historic buildings should be avoided.

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<sup>3</sup> According to the latest advice of DLO/TP, LandsD in 2015, the 10-year Small House demand forecast (2015 to 2024) is 190 for Pak Sha O. However, the corresponding forecast for Pak Sha O Ha Yeung is not available as there is no IIR for the village.

- (f) Given the natural environment, and high ecological and landscape value of the Area and the need to conserve the ambience of the existing villages, an incremental approach for designation of “V” zone for Small House development has been adopted with an aim to confining Small House development within the existing village settlements. A total of about 0.5 ha of land mainly covering the two existing core village clusters of Pak Sha O and Pak Sha O Ha Yeung have been designated as “V”.
- (g) In order to ensure that new houses would be in harmony with the existing historic buildings and would not affect the integrity and ambience of the existing village setting, including Ho Residence and Ho Ancestral Hall (Grade 1) at Pak Sha O and King Siu Sai Kui and Hau Fuk Mun (proposed Grade 1) at Pak Sha O Ha Yeung, stricter planning control over village development has been proposed for these two existing core village clusters. Within this “V” zone, any proposed house and any demolition of or any addition, alteration and/or modification to or replacement/redevelopment of an existing building require planning permission from the Board. In addition, selected commercial, community and recreational uses<sup>4</sup> may be permitted on application to the Town Planning Board.
- (h) The proposed “V” zones on the Plan, covering a total area of about 0.5 ha including about 0.32 ha at Pak Sha

<sup>4</sup> Compared with the Master Schedule of Notes (MSN), ‘Burial Ground’, ‘Market’, ‘Petrol Filling Station’, ‘Place of Recreation, Sports or Culture’, ‘Private Club’, ‘Public Clinic’, ‘Public Transport Terminus or Station’ and ‘Public Vehicle Park (excluding container vehicle)’ are excluded from Column 2 Uses under the “V” zone.

O and 0.18 ha at Pak Sha O Ha Yeung. The total developable land reserved for new Small House developments amounts to about 0.15 ha, equivalent to about 5 Small House sites. This can satisfy about 6% of the total Small House demand in the Area (**Table 1**).

- (i) While land zoned “V” is insufficient to meet the Small House demand in the Area, as advised by DLO/TP, LandsD, cross-village applications might be considered under the current land administrative practice. When preparing the OZP for Pak Tam Au, the surplus of land for Small House development within the “V” zone of Pak Tam Au<sup>5</sup> could help to meet the Small House demand of other villages within the Country Park enclaves in Sai Kung North, including Pak Sha O and Pak Sha O Ha Yeung, having a shortfall of “V” land by means of cross-village applications. The planning application system provides another measure for the villagers to apply for Small House development outside the “V” zones subject to the Board’s approval.

<sup>5</sup> Small House demand and supply for Pak Tam Au (as at April 2015):-

Small House Demand Figure in 2010		Small House Demand Figure in 2014		‘VE’ area (ha) within OZP	“V” zone on 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 Yr Forecast 2010-2019	Outstanding Demand	10 Yr Forecast 2014-2023					
14	>25*	10*	55*	3.74	2.52	0.88	1.16 (46 houses)	132%

\* Since no justification has been provided by the VRs for the substantial increase in the latest 10-year forecast, the updated outstanding demand in 2014 (i.e. 10), and the previous 10-year forecast provided in 2010 (i.e. 25 rather than “over 25”), are adopted as the total Small House demand figures.

- (j) Except for those specified, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23 m) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft DPA plan, whichever is the greater.
- (k) To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height restriction may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.
- (l) Some areas are overlooked by steep natural hillsides and may be affected by potential natural terrain landslide hazards. For future development in these areas, the developer(s) may be required to carry out natural terrain hazard study and provide suitable hazard mitigation measures, if found necessary, as part of the development.
- (m) 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 the AFCD and relevant authorities and incorporate relevant comments/advice as conditions of approval wherever possible. Accordingly, Lands Department when processing Small House grant applications in close

proximity to existing stream courses, should consult concerned departments including the AFCD, ArchSD and PlanD to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.

- (n) 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.
- (o) The Area falls entirely within the upper indirect WGG without public sewer. For any village type development, it should be demonstrated that the water quality within WGG will not be affected by the proposals. In general, the use of septic tank and soakaway systems for sewage treatment and disposal is considered as an unacceptable means for new village developments located in WGG. 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.

#### 4.4.3 Government, Institution or Community ("G/IC") (0.52 ha or 1.56%)

- (a) The planning intention of this zone is primarily for the provision of GIC facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government organizations providing social services to meet community needs, and other institutional establishments.

- (b) Major GIC facilities under this zone include Pak Sha O Youth Hostel, Immaculate Heart of Mary Chapel and the public toilet.
- (c) To preserve the rural character of the Area as well as provide spatial and visual relief, development/redevelopment within this zone should be restricted to the maximum building heights as stipulated on the Plan 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 greater.
- (d) To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height restriction may be considered by the Board through the planning permission system/process. Each application will be considered on its individual merits.

#### 4.4.4 Agriculture (“AGR”) (1.49 ha or 4.48%)

- (a) The planning intention of this zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.
- (b) Recently, plots of abandoned agricultural land adjoining the EIS to the north of the village cluster of Pak Sha O across the woodland have been rehabilitated for agricultural purpose. To reflect the active agricultural use on site, it is proposed to designate the area as “AGR”.

- (c) As the diversion of streams or filling of land/pond may cause adverse impacts on the natural environment and the ecological value of the adjacent area, planning approval is required for such activities. However, filling of land specifically required under prior written instructions of Government department(s), or for the purpose of genuine agricultural practice including laying of soil not exceeding 1.2m thickness for cultivation, and construction of agricultural structure with prior written approval from the Lands Department is exempted from the control.

#### 4.4.5 Green Belt (“GB”) (28.86 ha or 86.74%)

- (d) 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.
- (e) The areas zoned “GB” zone comprise mainly woodlands, scrublands and streams, including the EIS and its riparian zone. Designation of “GB” would conserve and maintain the integrity of the vast secondary woodland including woodland on the hillslopes which are contiguous with SKW Country Park and conserve the natural and rural character of the Area.
- (f) Part of a traditional burial ground at north-western fringe of the Area is within this zone. It has been in existence for many years, which is considered as existing use intended for the burial of deceased indigenous villagers in the Area. To respect local rituals

and traditions, burial activities within this zone are generally tolerated.

- (g) There is 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.
- (h) As diversion of stream, 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 except public works co-ordinated or implemented by government, and maintenance, repair or rebuilding works.

#### 4.4.6 Conservation Area (“CA”) (1.36 ha or 4.09%)

- (a) The 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.
- (b) The mature (*fung shui*) woodland on the hillsides at the southern part of the Area forming a backdrop for the Pak Sha O village cluster is zoned “CA”. An usually large

specimen of *Bischofia javanica* (秋楓) has been recorded.

- (c) Another “CA” zone covers the large stretch of freshwater marsh to the south of the village cluster of Pak Sha O Ha Yeung, where an orchid species, *Liparis ferruginea* (鏽色羊耳蒜), with a limited local distribution is found.
- (d) 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.

## 5. Implementation

### 5.1 Infrastructural Provisions

The Area is supplied with electricity and telephone services. In respect with other utility services, potable water supply to existing facilities and villagers in Pak Sha O and Pak Sha O Ha Yeung is provided. There are no committed/planned sewerage and drainage systems for the Area.

### 5.2 Statutory Development Control

- 5.2.1 The plan provided 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.

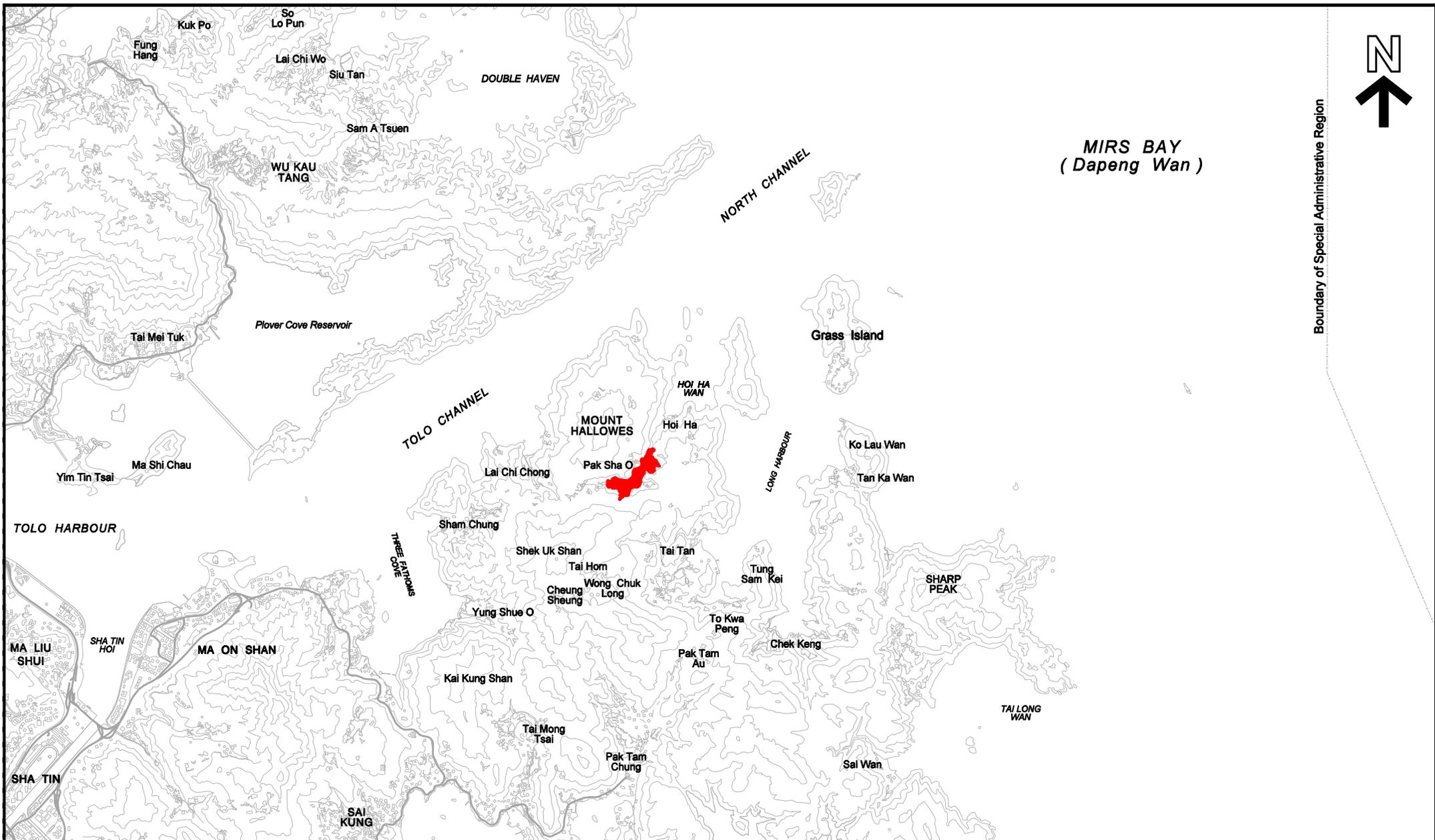
- 5.2.2 At present, there is no overall programme for the provision of infrastructure within the Area. The implementation process will be gradual and may stretch over a long period of time depending on the availability of resources. It will be undertaken through the participation of both public and private sectors.
- 5.2.3 Notwithstanding the above, minor improvements works, e.g. access improvements and lay 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 development 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.
- 5.2.4 Any development, or in conformity with the 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”

**Table 1: Supply and Demand for Small House in Pak Sha O and Pak Sha O Ha Yeung**

Village	Small House Demand Figure in 2012		Small House Demand Figure in 2015		'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 (ha)	Percentage of the new demand met by available land
	Outstanding Demand	10-year forecast (2012 – 2021)	Outstanding Demand	10-year forecast (2015 – 2024)					
<b>Pak Sha O</b>	38	49*	38*	190*	5.79 (5.30)	0.32	2.18	0.06 (2 houses)	3%
<b>Pak Sha O Ha Yeung</b>	6	NA	7	NA	4.86 (3.75)	0.18	0.18	0.09 (3 houses)	50%
<b>Total</b>	44	49	45	190	10.65 (9.05)	0.50	2.36	0.15 (5 houses)	6%

\* Since no justification has been provided by the IIR for the substantial increase in the latest 10-year forecast for Pak Sha O. In such circumstances, the updated outstanding demand in 2015 (i.e. 38), and the previous 10-year forecast provided in 2012, (i.e. 49), are adopted in the calculation of the Small House demand for Pak Sha O.

NA The 10-year Small House demand forecast for Pak Sha O Ha Yeung is not available as there is no IIR for the village.



MIRS BAY  
(Dapeng Wan)

Boundary of Special Administrative Region

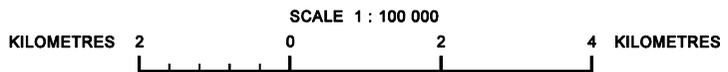
 STUDY AREA

**LOCATION PLAN**  
**PAK SHA O**

**PLANNING  
DEPARTMENT**

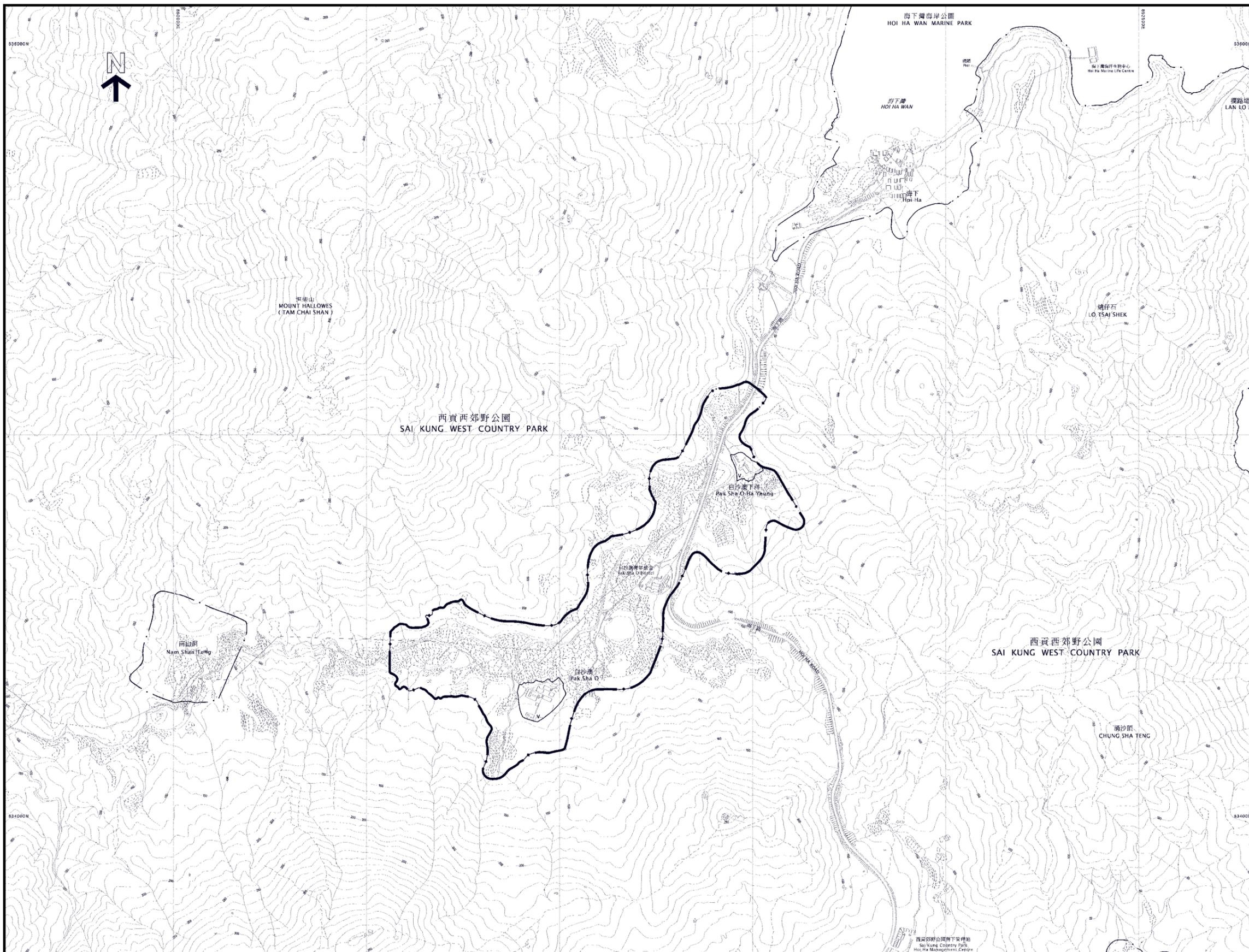


PLAN PREPARED ON 18.5.2015  
BASED ON SHEET SERIES HM100C



REFERENCE No.  
M/CPE/PSO/15/2

FIGURE  
1



圖例  
NOTATION

- ZONES
- VILLAGE TYPE DEVELOPMENT  鄉村式發展
- MISCELLANEOUS
- BOUNDARY OF DEVELOPMENT PERMISSION AREA  發展審批地區界線
- BOUNDARY OF COUNTRY PARK / SPECIAL AREA  郊野公園 / 特別地區界線

土地用途及面積一覽表  
SCHEDULE OF USES AND AREAS

USES	大約面積及百分率 APPROXIMATE AREA & %		用途
	公頃 HECTARES	% 百分率	
VILLAGE TYPE DEVELOPMENT	1.36	4.15	鄉村式發展
UNSPECIFIED USE	31.88	95.85	非指定用途
TOTAL AREA OF DEVELOPMENT PERMISSION AREA	33.27	100.00	發展審批地區總面積

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

PAK SHA O  
DEVELOPMENT PERMISSION AREA PLAN

PLANNING DEPARTMENT

EXTRACT PLAN PREPARED ON 4.5.2015  
BASED ON DEVELOPMENT PERMISSION AREA  
PLAN No. DPA/NE-PSO/2 APPROVED ON 7.1.2014



REFERENCE No.  
M/CPE/PSO/15/2

FIGURE  
2



SAI KUNG WEST COUNTRY PARK

PAK SHA O  
HA YEUNG

Pak Sha O  
Youth Hostel

HOI HA ROAD

PAK SHA O

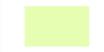
NAM SHAN  
TUNG

SAI KUNG WEST COUNTRY PARK

**LEGEND**



STUDY AREA



COUNTRY PARK

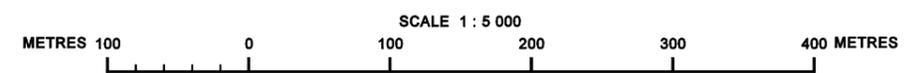
**STUDY AREA**

PAK SHA O

PLANNING DEPARTMENT

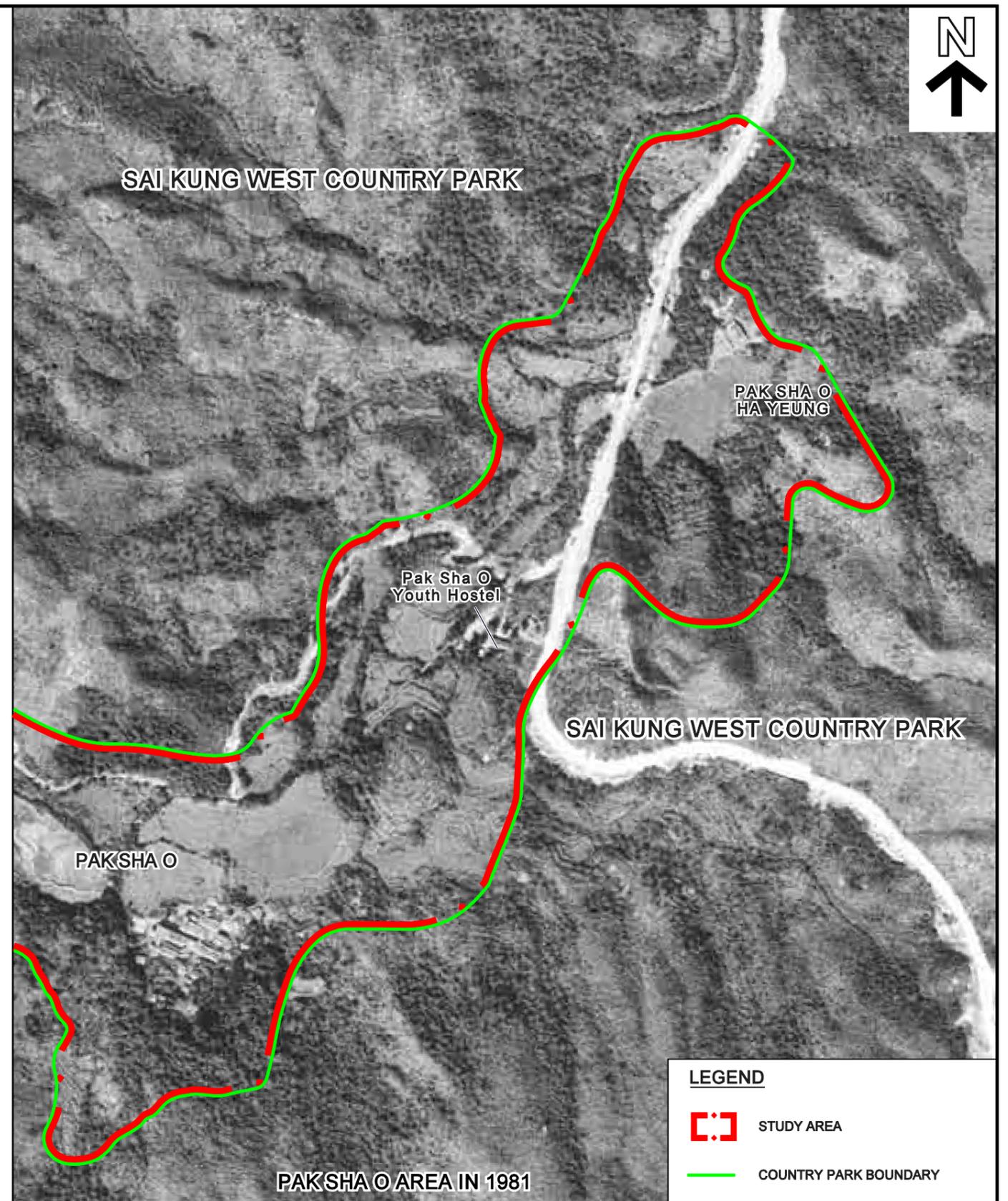
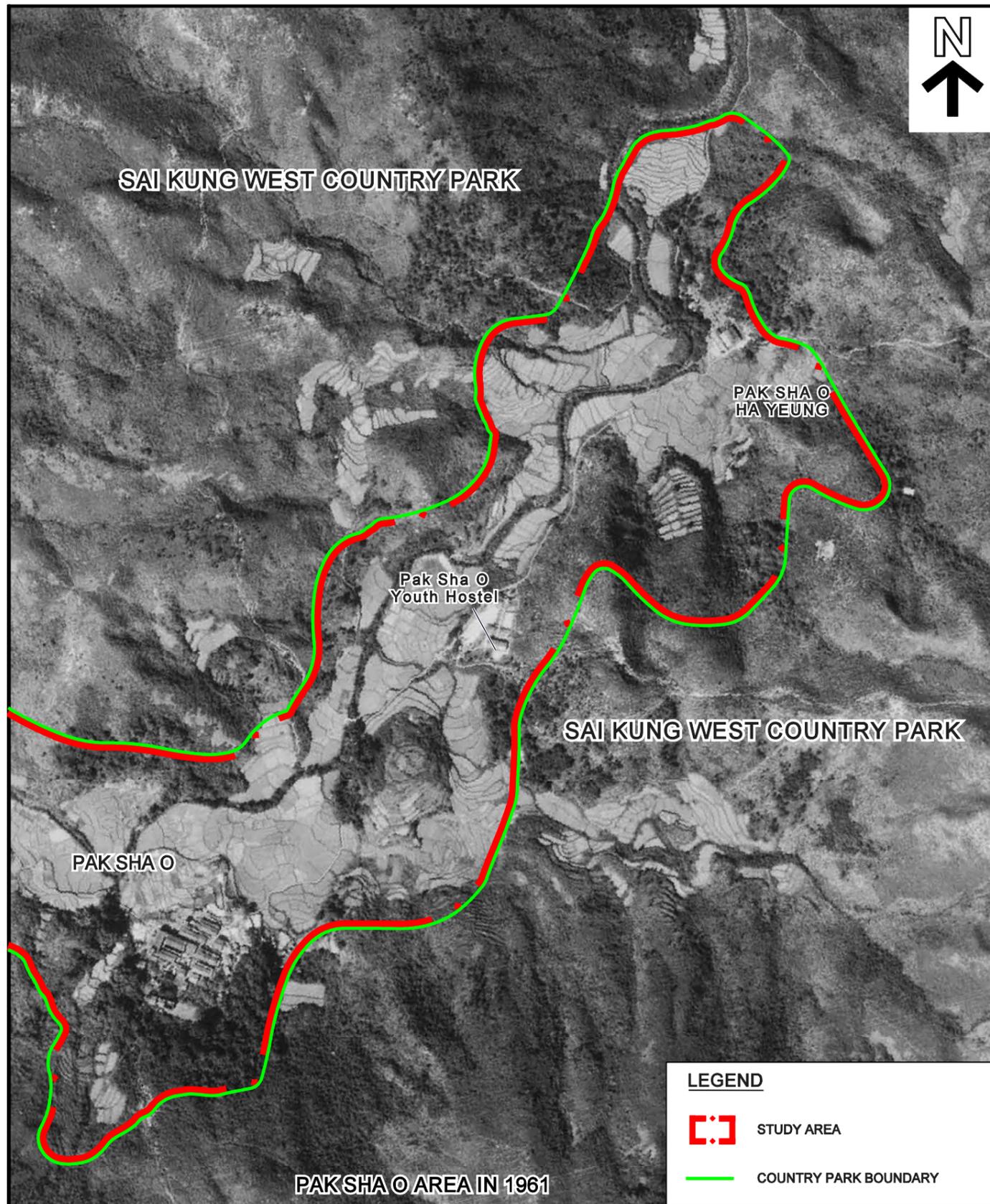


PLAN PREPARED ON 4.5.2015  
BASED ON SURVEY SHEETS No.  
8-NW-4C/D, 5C/D, 9A/B/C/D & 10A/B/C/D



REFERENCE No.  
M/CPE/PSO/15/2

FIGURE  
3



AERIAL PHOTO

PAK SHA O

PLANNING DEPARTMENT



PLAN PREPARED ON 17.6.2015 BASED ON  
AERIAL PHOTOS No.0078 AND 39282 TAKEN ON  
26.10.1961 AND 27.10.1981 BY LANDS DEPARTMENT

REFERENCE No.  
M/CPE/PSO/15/2

FIGURE  
4a



SAI KUNG WEST COUNTRY PARK

HOI HA ROAD

PAK SHA O  
HA YEUNG

Pak Sha O  
Youth Hostel

NAM SHAN  
TUNG

PAKSHA O

SAI KUNG WEST COUNTRY PARK

**LEGEND**

-  STUDY AREA
-  COUNTRY PARK BOUNDARY

AERIAL PHOTO

PAK SHA O

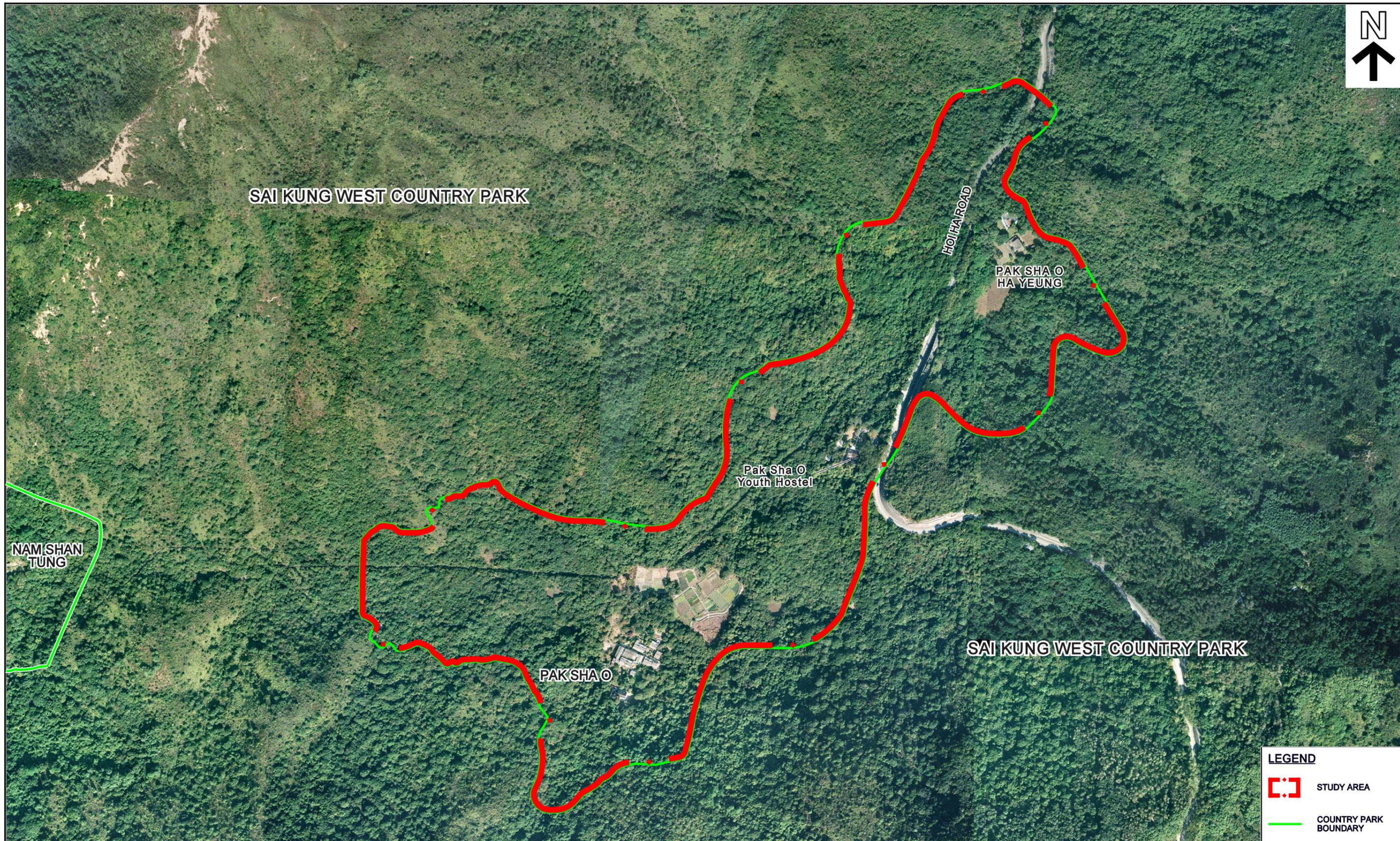
PLANNING DEPARTMENT



PLAN PREPARED ON 3.7.2015 BASED ON  
AERIAL PHOTO No.CN5533 TAKEN ON 6.12.1993  
BY LANDS DEPARTMENT

REFERENCE No.  
M/CPE/PSO/15/2

FIGURE  
4b



**LEGEND**

-  STUDY AREA
-  COUNTRY PARK BOUNDARY

AERIAL PHOTO

PAK SHA O

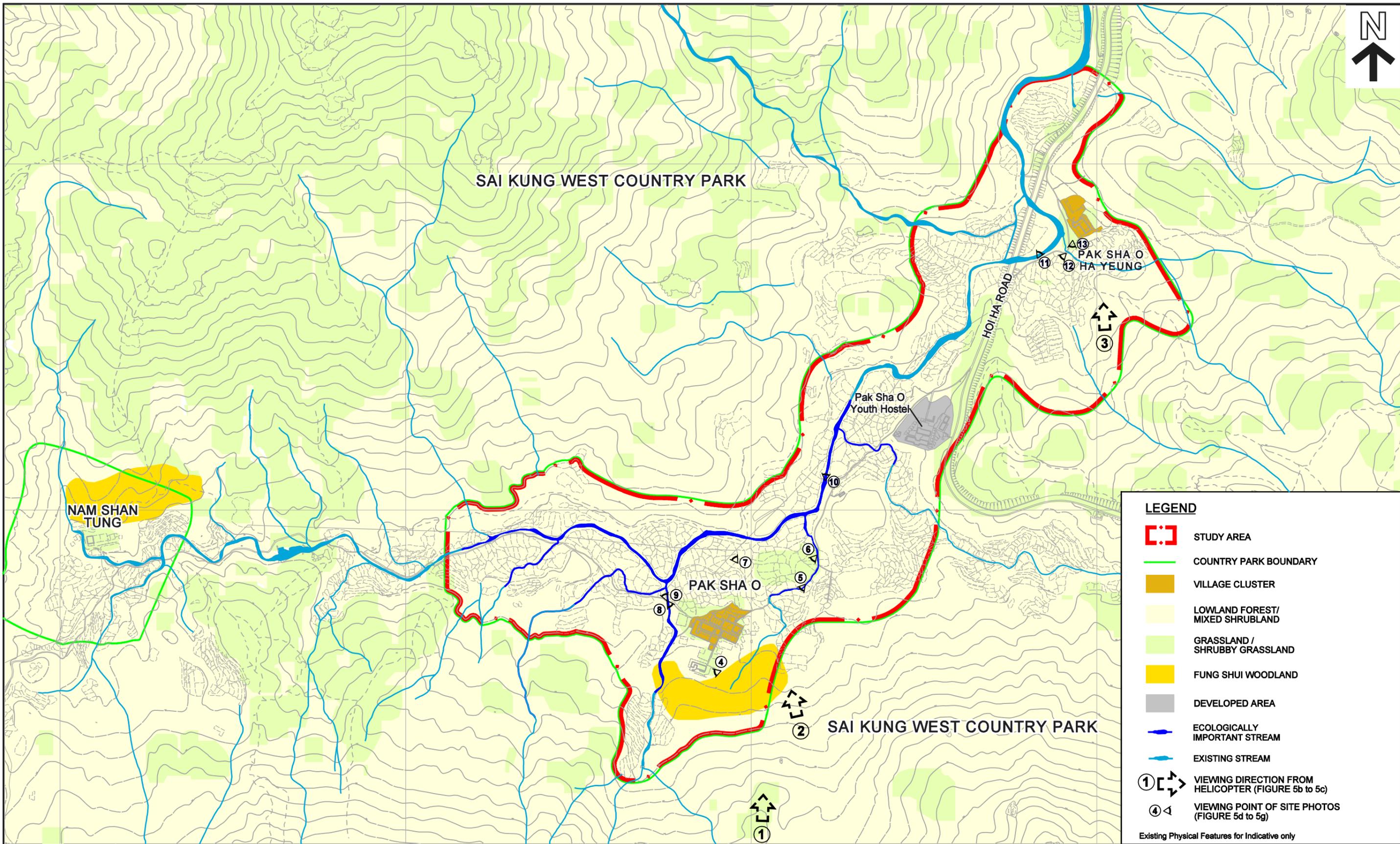
PLANNING DEPARTMENT



PLAN PREPARED ON 30.6.2015 BASED ON  
AERIAL PHOTOS No.CS56326, CS56327, CS56328, CS56550 & CS56552  
TAKEN ON 3.1.2015 BY LANDS DEPARTMENT

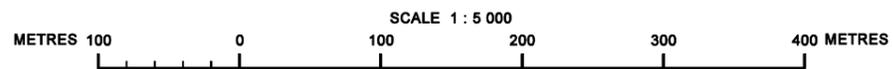
REFERENCE No.  
M/CPE/PSO/15/2

FIGURE  
4c



**EXISTING PHYSICAL FEATURES**

**PAK SHA O**



**PLANNING DEPARTMENT**



REFERENCE No.  
**M/CPE/PSO/15/2**

FIGURE  
**5a**

PLAN PREPARED ON 14.7.2015  
BASED ON SURVEY SHEETS No.  
8-NW-4C/D, 5C/D, 9A/B/C/D & 10A/B/C/D



PHOTO 1 TAKEN FROM HELICOPTER

PLAN PREPARED ON 12.5.2015  
 BASED ON SITE PHOTO TAKEN ON  
 18.2.2013

**SITE PHOTO - EXISTING PHYSICAL FEATURES**

**PAK SHA O**

**PLANNING DEPARTMENT**

REFERENCE No.  
 M/CPE/PSO/15/2



**FIGURE**  
 5b



PHOTO 2 & 3 TAKEN FROM HELICOPTER

SITE PHOTOS - EXISTING PHYSICAL FEATURES

PAK SHA O

PLAN PREPARED ON 30.6.2015  
 BASED ON SITE PHOTOS TAKEN ON  
 18.2.2013

PLANNING  
 DEPARTMENT



REFERENCE No.  
 M/CPE/PSO/15/2

FIGURE  
 5c



FUNG SHUI WOODLAND BEHIND IMMACULATE HEART OF MARY CHAPEL

PLAN PREPARED ON 30.6.2015  
BASED ON SITE PHOTO TAKEN ON  
6.5.2015

SITE PHOTO - EXISTING PHYSICAL FEATURES

PAK SHA O

PLANNING  
DEPARTMENT



REFERENCE No.  
M/CPE/PSO/15/2

FIGURE  
5d



ACTIVE AGRICULTURAL LAND AT PAK SHA O

SITE PHOTOS - EXISTING PHYSICAL FEATURES

PAK SHA O

PLAN PREPARED ON 12.5.2015  
 BASED ON SITE PHOTOS TAKEN ON  
 22.4.2015 AND 6.5.2015

PLANNING  
 DEPARTMENT



REFERENCE No.  
 M/CPE/PSO/15/2

FIGURE  
 5e



ECOLOGICALLY IMPORTANT STREAM AND STREAMS AT PAK SHA O AND PAK SHA O HA YEUNG

SITE PHOTOS - EXISTING PHYSICAL FEATURES

PAK SHA O

PLAN PREPARED ON 14.5.2015  
BASED ON SITE PHOTOS TAKEN ON  
22.4.2015 AND 6.5.2015

PLANNING  
DEPARTMENT



REFERENCE No.  
M/CPE/PSO/15/2

FIGURE  
5f



FRESHWATER MARSHES AND POND NEARBY AT PAK SHA O HA YEUNG

SITE PHOTOS - EXISTING PHYSICAL FEATURES

PAK SHA O

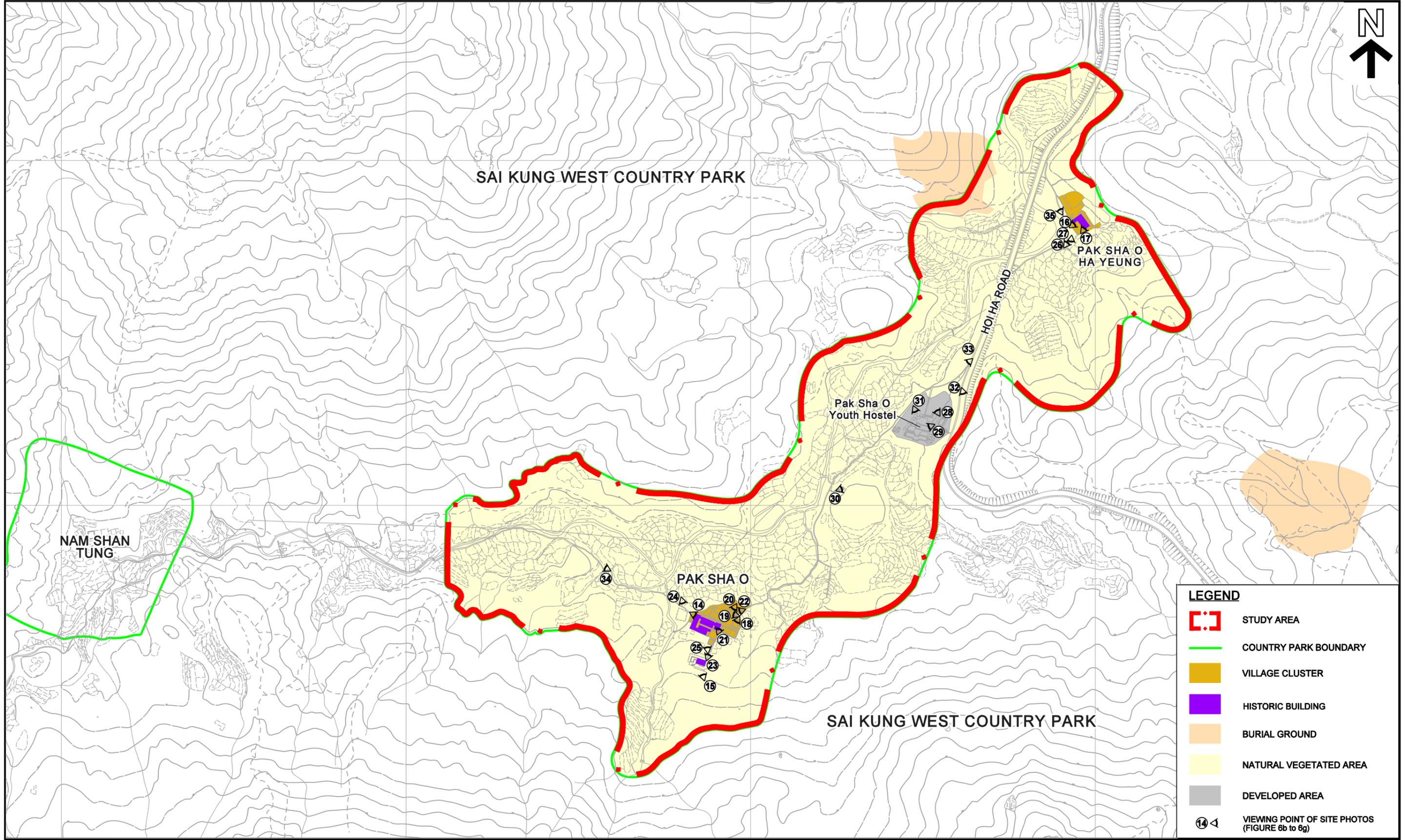
PLAN PREPARED ON 30.6.2015  
 BASED ON SITE PHOTOS TAKEN ON  
 22.4.2015

PLANNING  
 DEPARTMENT



REFERENCE No.  
 M/CPE/PSO/15/2

FIGURE  
 5g

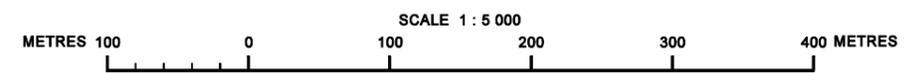


**LEGEND**

- STUDY AREA
- COUNTRY PARK BOUNDARY
- VILLAGE CLUSTER
- HISTORIC BUILDING
- BURIAL GROUND
- NATURAL VEGETATED AREA
- DEVELOPED AREA
- VIEWING POINT OF SITE PHOTOS (FIGURE 6b to 6g)

**EXISTING LAND USES**

**PAK SHA O**



PLAN PREPARED ON 14.7.2015  
 BASED ON SURVEY SHEETS No.  
 8-NW-4C/D, 5C/D, 9A/B/C/D & 10A/B/C/D

**PLANNING DEPARTMENT**



REFERENCE No.  
 M/CPE/PSO/15/2

FIGURE  
 6a

14



GRADE 1 HISTORIC BUILDING - HO RESIDENCE AND HO ANCESTRAL HALL AT PAK SHA O

PLAN PREPARED ON 30.6.2015  
BASED ON SITE PHOTO TAKEN ON  
6.5.2015

SITE PHOTO - EXISTING LAND USES

PAK SHA O

PLANNING  
DEPARTMENT



REFERENCE No.  
M/CPE/PSO/15/2

FIGURE  
6b



GRADE 3 HISTORIC BUILDING - IMMACULATE HEART OF MARY CHAPEL AT PAK SHA O

PLAN PREPARED ON 30.6.2015  
 BASED ON SITE PHOTO TAKEN ON  
 8.10.2012

SITE PHOTO - EXISTING LAND USES

PAK SHA O

PLANNING  
 DEPARTMENT



REFERENCE No.  
 M/CPE/PSO/15/2

FIGURE  
 6c



PROPOSED GRADE 1 HISTORIC BUILDING - KING SIU SAI KUI AND HAU FUK MUN AT PAK SHA O HA YEUNG

PLAN PREPARED ON 30.6.2015  
 BASED ON SITE PHOTOS TAKEN ON  
 8.10.2012 AND 18.6.2014

**SITE PHOTOS - EXISTING LAND USES**

PAK SHA O

**PLANNING  
 DEPARTMENT**



REFERENCE No.  
**M/CPE/PSO/15/2**

**FIGURE  
 6d**



VILLAGE HOUSES AT PAK SHA O

PLAN PREPARED ON 18.5.2015  
 BASED ON SITE PHOTOS TAKEN ON  
 7.12.2012, 29.10.2012 AND 22.4.2015

SITE PHOTOS - EXISTING LAND USES

PAK SHA O

PLANNING  
 DEPARTMENT



REFERENCE No.  
 M/CPE/PSO/15/2

FIGURE  
 6e(i)



VILLAGE HOUSES AT PAK SHA O

PLAN PREPARED ON 18.5.2015  
 BASED ON SITE PHOTOS TAKEN ON  
 6.5.2015

SITE PHOTOS - EXISTING LAND USES

PAK SHA O

PLANNING  
 DEPARTMENT



REFERENCE No.  
 M/CPE/PSO/15/2

FIGURE  
 6e(ii)

24



25



VILLAGE HOUSES AND SURROUNDING LANDSCAPE GARDEN AT PAK SHA O

PLAN PREPARED ON 30.6.2015  
BASED ON SITE PHOTOS TAKEN ON  
22.4.2015 AND 6.5.2015

**SITE PHOTOS - EXISTING LAND USES**

**PAK SHA O**

**PLANNING  
DEPARTMENT**



REFERENCE No.  
**M/CPE/PSO/15/2**

**FIGURE  
6e(iii)**



VILLAGE HOUSE AND SURROUNDING LANDSCAPE AREA AT PAK SHA O HA YEUNG

PLAN PREPARED ON 30.6.2015  
 BASED ON SITE PHOTOS TAKEN ON  
 22.4.2015

SITE PHOTOS - EXISTING LAND USES

PAK SHA O

PLANNING  
 DEPARTMENT



REFERENCE No.  
 M/CPE/PSO/15/2

FIGURE  
 6e(iv)



Pak Sha O Youth Hostel



Toilet



"GOVERNMENT , INSTITUTION OR COMMUNITY" FACILITIES

PLAN PREPARED ON 18.5.2015  
 BASED ON SITE PHOTOS TAKEN ON  
 29.10.2012 AND 22.4.2015

**SITE PHOTOS - EXISTING LAND USES**

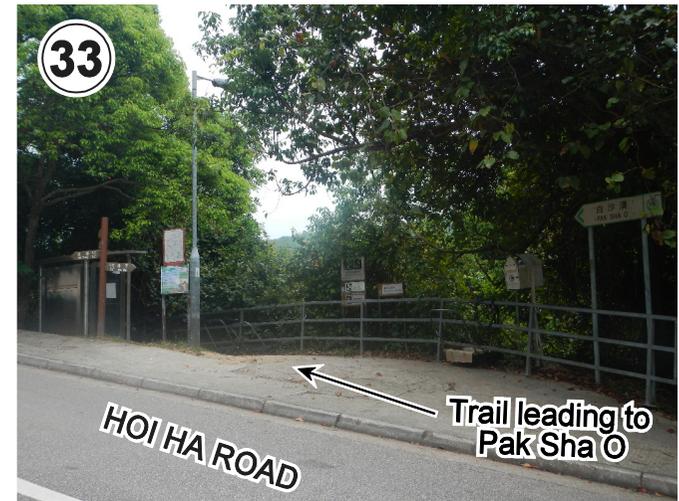
**PAK SHA O**

**PLANNING  
 DEPARTMENT**



REFERENCE No.  
**M/CPE/PSO/15/2**

**FIGURE  
 6f**



HOI HA ROAD AND ACCESS ROAD TO PAK SHA O AND PAK SHA O HA YEUNG

PLAN PREPARED ON 30.6.2015  
 BASED ON SITE PHOTOS TAKEN ON  
 13.5.2013, 22.4.2015 AND 6.5.2015

**SITE PHOTOS - EXISTING LAND USES**

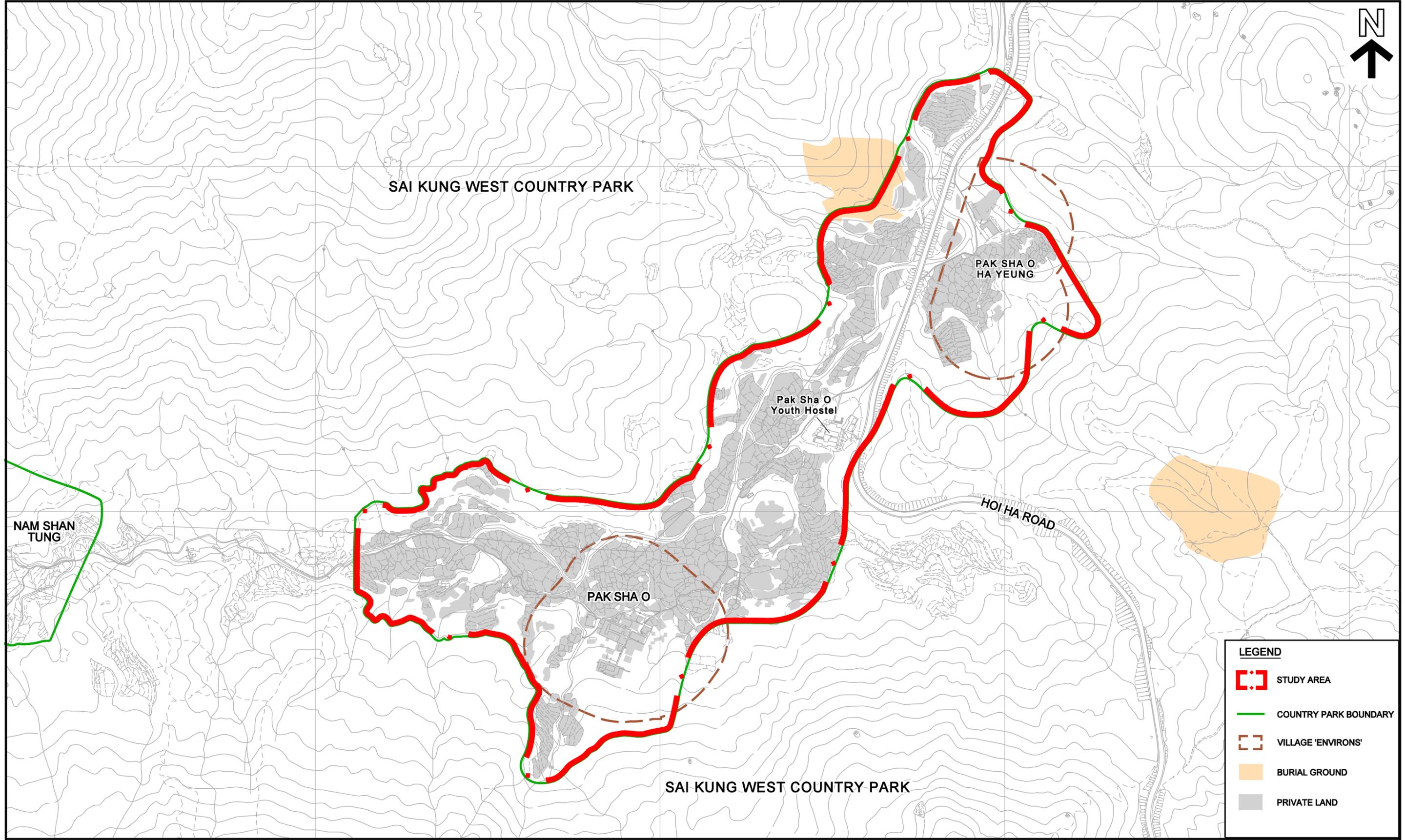
PAK SHA O

PLANNING  
 DEPARTMENT



REFERENCE No.  
 M/CPE/PSO/15/2

FIGURE  
 6g



**LEGEND**

- STUDY AREA
- COUNTRY PARK BOUNDARY
- VILLAGE 'ENVIRONS'
- BURIAL GROUND
- PRIVATE LAND

**LAND OWNERSHIP AND VILLAGE 'ENVIRONS'**

**PAK SHA O**



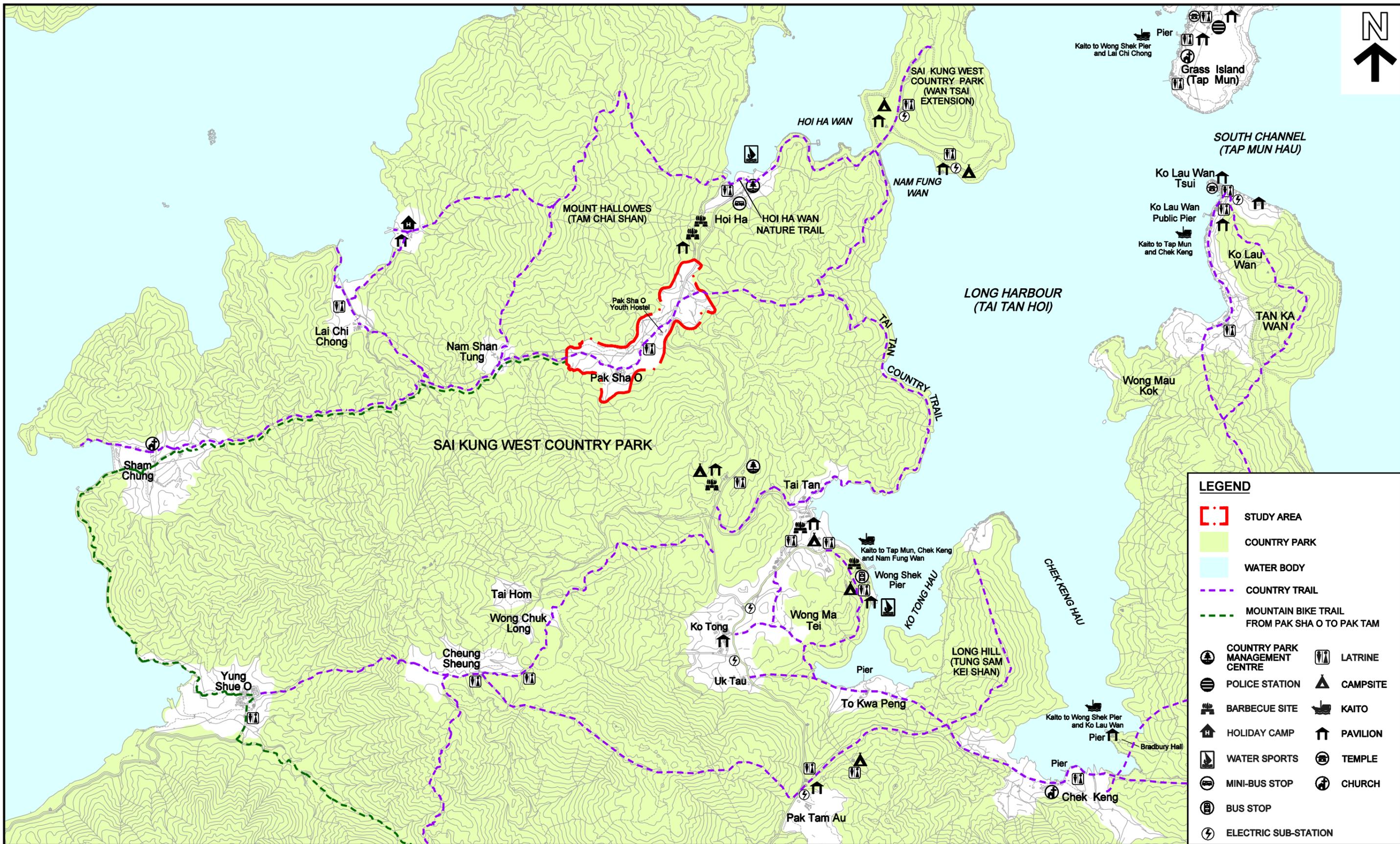
**PLANNING DEPARTMENT**



PLAN PREPARED ON 10.6.2015  
 BASED ON SURVEY SHEETS No.  
 8-NW-4C/D, 5C/D, 9A/B/C/D & 10A/B/C/D

REFERENCE No.  
 M/CPE/PSO/15/2

FIGURE  
 7



**EXISTING GIC, INFRASTRUCTURAL AND TOURISM-RELATED FACILITIES**

PAK SHA O



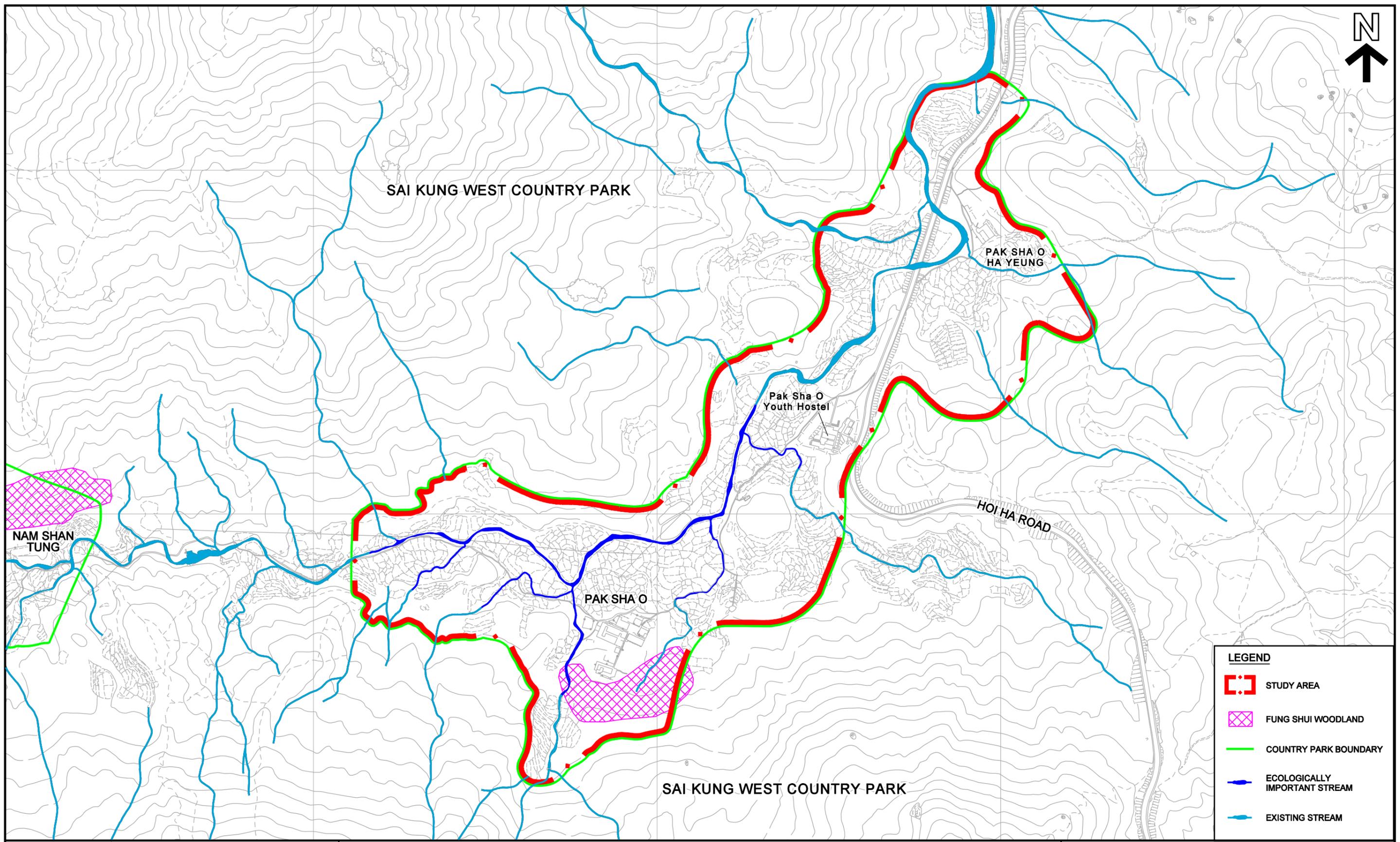
PLAN PREPARED ON 16.6.2015  
BASED ON SHEETS No. 4-SE/SW AND 8-NE/NW

PLANNING DEPARTMENT



REFERENCE No.  
M/CPE/PSO/15/2

FIGURE  
8



**LEGEND**

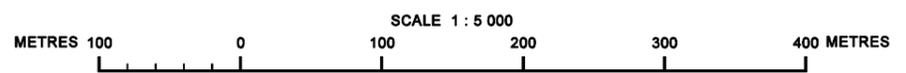
-  STUDY AREA
-  FUNG SHUI WOODLAND
-  COUNTRY PARK BOUNDARY
-  ECOLOGICALLY IMPORTANT STREAM
-  EXISTING STREAM

**ECOLOGICAL RESOURCES**

**PAK SHA O**

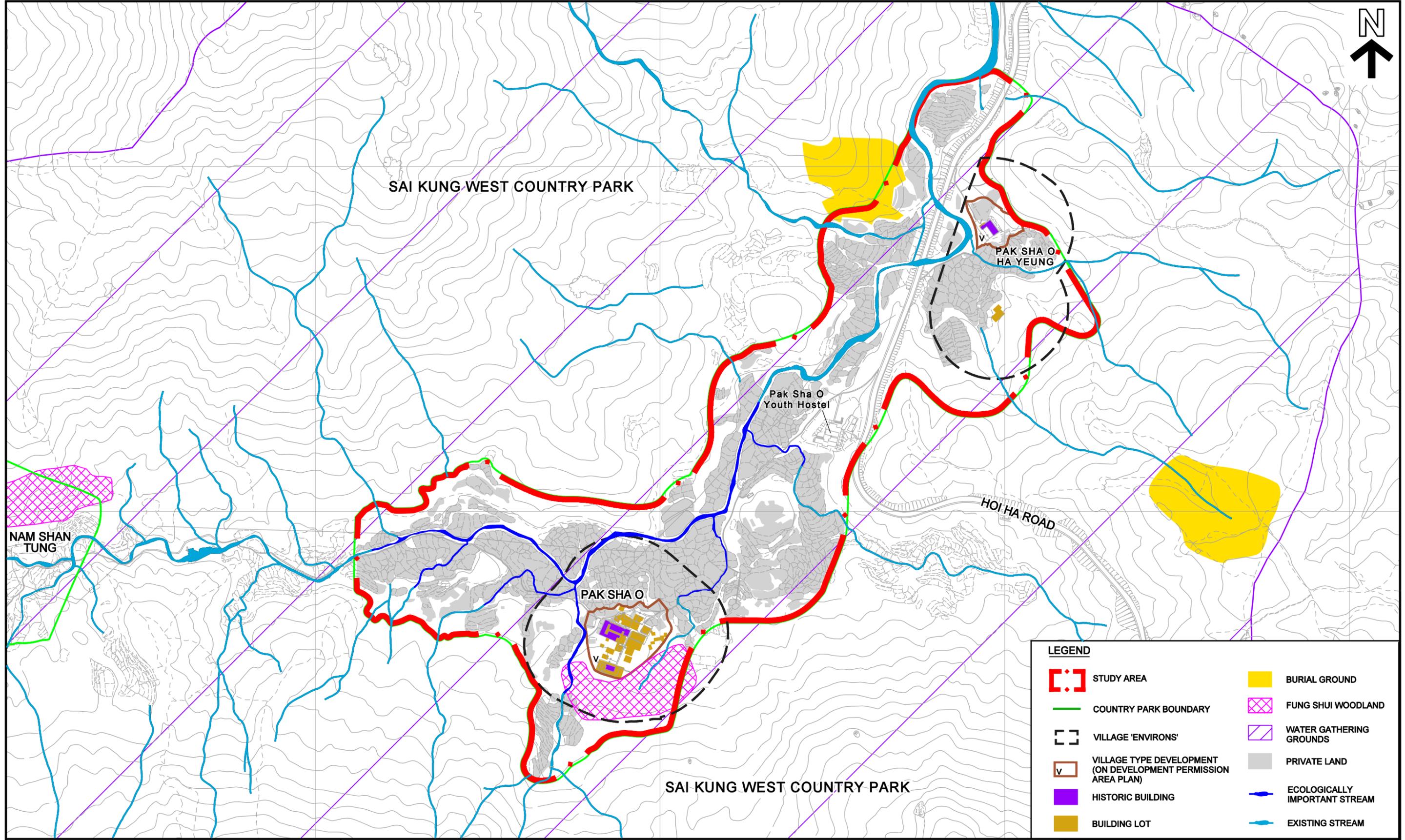
**PLANNING DEPARTMENT** 

PLAN PREPARED ON 30.6.2015  
BASED ON SURVEY SHEETS No. 8-NW-4C/D,  
5C/D, 9A/B/C/D AND 10A/B/C/D



REFERENCE No.  
**M/CPE/PSO/15/2**

FIGURE  
**9**



LEGEND	
	STUDY AREA
	COUNTRY PARK BOUNDARY
	VILLAGE 'ENVIRONS'
	VILLAGE TYPE DEVELOPMENT (ON DEVELOPMENT PERMISSION AREA PLAN)
	HISTORIC BUILDING
	BUILDING LOT
	BURIAL GROUND
	FUNG SHUI WOODLAND
	WATER GATHERING GROUNDS
	PRIVATE LAND
	ECOLOGICALLY IMPORTANT STREAM
	EXISTING STREAM

**DEVELOPMENT CONSTRAINTS**

**PAK SHA O**

PLAN PREPARED ON 15.7.2015  
 BASED ON SURVEY SHEETS No. 8-NW-4C/D,  
 5C/D, 9A/B/C/D AND 10A/B/C/D



**PLANNING DEPARTMENT**

REFERENCE No.  
**M/CPE/PSO/15/2**

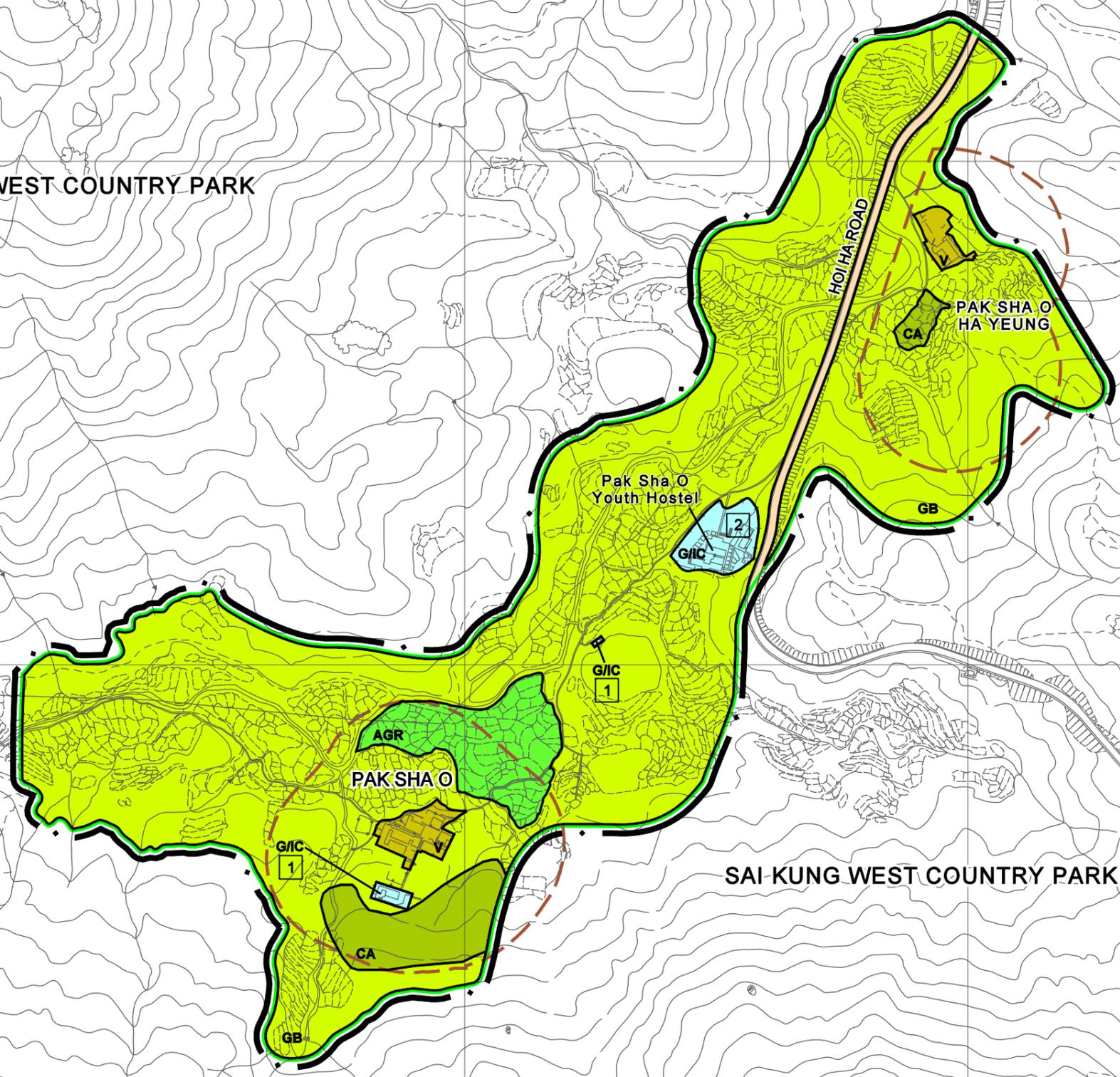
FIGURE  
**10**



SAI KUNG WEST COUNTRY PARK

NAM SHAN TUNG

SAI KUNG WEST COUNTRY PARK

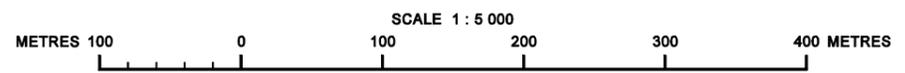


**LEGEND**

-  BOUNDARY OF OUTLINE ZONING PLAN
-  COUNTRY PARK BOUNDARY
-  VILLAGE 'ENVIRONS'
-  VILLAGE TYPE DEVELOPMENT
-  GOVERNMENT, INSTITUTION OR COMMUNITY
-  AGRICULTURE
-  GREEN BELT
-  CONSERVATION AREA
-  MAJOR ROAD AND JUNCTION
-  MAXIMUM BUILDING HEIGHT (IN NUMBER OF STOREYS)

**PROPOSED LAND USES**

PAK SHA O



PLAN PREPARED ON 14.7.2015  
BASED ON SURVEY SHEETS No.  
8-NW-4C/D, 5C/D, 9A/B/C/D & 10A/B/C/D

PLANNING DEPARTMENT



REFERENCE No.  
M/CPE/PSO/15/2

FIGURE  
11