

TOWN PLANNING BOARD

**TPB Paper No. 10019
For Consideration by
the Town Planning Board
on 13.11.2015**

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

DRAFT PAK SHA O OUTLINE ZONING PLAN NO. S/NE-PSO/C
FURTHER CONSIDERATION OF A NEW PLAN

1. Introduction

The purposes of this paper are to:

- (a) report on the results of the consultation with the Tai Po District Council (TPDC) and Sai Kung North Rural Committee (SKNRC), and other public views received on the draft Pak Sha O Outline Zoning Plan (OZP) No. S/NE-PSO/B; and
- (b) seek Members' agreement that the draft Pak Sha O OZP No. S/NE-PSO/C, its Notes and Explanatory Statement (ES) (**Annexes I to III**) are suitable for public inspection under section 5 of the Town Planning Ordinance (the Ordinance).

2. Background

2.1 On 24.7.2015, the Town Planning Board (the Board) gave preliminary consideration to the draft Pak Sha O OZP No. S/NE-PSO/B (**TPB Paper No. 9965**) and agreed that the draft OZP was suitable for submission to the TPDC and SKNRC for consultation. An extract of the minutes of the Board's meeting held on 24.7.2015 and TPB Paper No. 9965 are at **Annexes IV and V** respectively for Members' reference.

2.2 Major land use proposals of the draft OZP No. S/NE-PSO/B (**Plan 1**) highlighted in TPB Paper No. 9965 are recapitulated below:

"Conservation Area" ("CA") Zone (1.36 ha and 4.09%) (Plans 1 to 6)

- (a) 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, where an unusually large specimen of *Bischofia javanica* (秋楓) has been recorded, and 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, have been zoned "CA" to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development.

“Green Belt” (“GB”) Zone (28.86 ha and 86.74%) (Plans 1 to 6)

- (b) Majority of the Area comprising woodlands, scrublands, streams, including the Ecologically Important Stream (EIS) and its riparian zone, and part of a traditional burial ground has been zoned “GB” to conserve and maintain the integrity of the vast secondary woodland and conserve the natural and rural character of the Area. Protected plant species, such as *Aquilaria sinensis* (土沉香), *Pavetta hongkongensis* (香港大沙葉) and *Cibotium barometz* (金毛狗), and numerous tree species, including *Cinnamomum parthenoxylon* (黃樟), *Bischofia javanica* (秋楓), *Schefflera heptaphylla* (鵝掌柴), *Cratoxylum cochinchinense* (黃牛木), etc. have been found in the Area. The EIS is valued for its good water quality and presence of the rare Three-lines Bagrid Fish *Pseudobagrus trilineatus* (三線擬鱔).

“Agriculture” (“AGR”) Zone (1.49 ha and 4.48%) (Plans 1 to 6)

- (c) To the north of the village cluster of Pak Sha O across the woodland, an area comprising plots of abandoned agricultural land recently rehabilitated for agricultural purpose and part of the EIS and the adjoining footpath passing through the southern part of the agricultural land has been zoned “AGR” to reflect the existing agricultural uses.

“Village Type Development” (“V”) Zone (0.5 ha and 1.5%) (Plans 1 to 6)

- (d) Pak Sha O and Pak Sha O Ha Yeung are the two recognized villages in the Area. 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. The proposed “V” zone mainly covers the existing core village clusters. 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, 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.

“Government, Institution or Community” (“G/IC”) Zone (0.52 ha and 1.56%) (Plans 1 to 6)

- (e) 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, have been zoned “G/IC” to reflect the existing GIC developments on site.

3. Local Consultation

SKNRC and TPDC

- 3.1 On 7.8.2015, the consultation paper regarding the draft Pak Sha O OZP No. S/NE-PSO/B was circulated to SKNRC, which subsequently refused to conduct a consultation meeting. The Village Representative (VR) of Pak Sha O on 1.9.2015 and SKNRC on 7.9.2015 wrote to TPDC expressing strong objection to the draft OZP mainly on the grounds that the “V” zone was inadequate to meet the Small House demand and the imposition of more planning control within the “V” zone (i.e. 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) would restrict Small House development. They requested to expand the “V” zone to meet the Small House demand (**Annexes VI-1 and VI-2**).
- 3.2 On 9.9.2015, the draft OZP was presented to TPDC and the above two letters from VR of Pak Sha O dated 1.9.2015 and SKNRC dated 7.9.2015 were also tabled at the same meeting. TPDC noted and respected the views of SKNRC and hence objected to the draft OZP on similar grounds. On 10.9.2015, SKNRC submitted a letter expressing views similar to its letter dated 7.9.2015 (**Annex VI-3**).
- 3.3 On 14.10.2015, a consultation meeting on the draft OZP with SKNRC and VR of Pak Sha O was conducted. Whilst it was recognised that there was a need to protect the EIS in Pak Sha O in view of its ecological value and to conserve the ambience of the outstanding vernacular Hakka villages and well-preserved historical buildings in the clusters of the two recognized villages, namely Pak Sha O and Pak Sha O Ha Yeung, SKNRC and VR of Pak Sha O strongly considered that the need of local villagers should not be disregarded totally and suitable land should be designated for Small House development in the Area. It was noted that a major part of the proposed “AGR” zone and the adjoining “GB” area (**Plan 7a**) were located away from the existing village cluster and EIS and there was a dense woodland in between that could act as buffer. Consideration could be given to designate this area as “V” to cater for the Small House development. As the area was well separated from the existing village cluster and EIS, no planning permission should be required from the Board for Small House development.

Green/ concern groups and members of public

- 3.4 A total of nine submissions are received from five green/ concern groups, namely World Wide Fund for Nature Hong Kong, Hong Kong Bird Watching Society (HKBWS), Friends of Hoi Ha (FOHH), Designing Hong Kong Limited and Kadoorie Farm & Botanic Garden Corporation, and four members of the public (**Annexes VII-1 to VII-9**). In general, they supported in-principle the Board's recognition of the ecological and cultural heritage value of the Area and the relevant "CA" zone, the confinement of the "V" zone to the existing village clusters and the planning control within the "V" zone. Besides, HKBWS submitted detailed records of occurrence of birds in the Area to substantiate the ecological value of the Area¹. Their proposals are summarized below (**Drawing 1 and Plan 8**):

Conservation zonings for ecologically sensitive areas

- (a) All woodland (including the mature trees/dense vegetation within the proposed "AGR" zone, natural streams including the EIS and their riparian zones (30m along both sides of streams) and wetland should be zoned "CA" or "Green Belt(1)" ("GB(1)") with no provision for s.16 planning application for new Small House developments (**Drawing 1 and Plan 8**).

Rezoning the woodland and the adjoining areas at Pak Sha O from "GB" to "AGR" (Drawing 1 and Plan 8)

- (b) An area between the existing village cluster and the buffer area of the EIS could be considered for "AGR" zone.

Amending the Notes and ES of the draft OZP

- (c) The Notes of the draft OZP should be amended as follows:
- (i) 'House (New Territories Exempted House only)' and 'House' should be removed from Column 2 of the "AGR" and "GB" zones respectively.
 - (ii) The clause permitting laying of soil not exceeding 1.2m should be removed from the Remarks of the Notes for the "AGR" zone.
 - (iii) The Notes should be amended to prohibit the use of pesticides and fertilizers in the Area.
 - (iv) The Notes and ES should be amended to specify that historical or old building need to be protected. In particular, to ensure compatibility with the current village houses, rebuilding and repairs, not just redevelopment, should be subject to planning control and the provision for taller houses should also be deleted.

¹ From 1999 to 2014, HKBWS have recorded 175 species of birds in Pak Sha O, which accounts for about one-third of total number of bird species recorded in Hong Kong. Among them, 56 species are of conservation concern, including Brown Fish Owl (*Ketupa zeylonensis*) (褐漁鴞). A diverse group of birds have been found in the Area, including woodland birds (e.g., flycatchers, warbler, babblers and flowerpeckers), waterbirds (e.g., egrets, herons, shorebirds and kingfishers), open country birds (e.g., buntings) and raptor species (e.g., eagles and owls). The presence of such a wide range of bird species indicates the Area is with diverse undisturbed natural habitats which are worthy of protection, particularly the woodland, marsh and natural streams.

Incorporating the Area into Country Park

- (d) To incorporate the Area into Sai Kung West Country Park to fully protect the ecological and landscape values.

4. Planning Department's Responses

- 4.1 In consultation with concerned departments, PlanD's responses to the above comments/proposals are as follows:

Designation of "V" zone

- (a) In drawing up the draft OZP, special attention has been given to protect the high conservation and landscape value of the area having regard to the wider natural system of the adjoining Sai Kung West Country Park. Environmentally sensitive areas and areas with high landscape value including the woodlands, freshwater marshes and natural streams, etc. have been zoned "CA" or "GB".
- (b) Pak Sha O and Pak Sha O Ha Yeung are the two recognized villages in the Area. The two existing core village clusters are outstanding vernacular Hakka villages 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. 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. 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, the proposed "V" zones on the draft OZP No. S/NE-PSO/B have been confined to the two core village clusters of Pak Sha O and Pak Sha O Ha Yeung and subject to more stringent planning control, i.e. 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.
- (c) The green/concern groups supported in-principle the Board's recognition of the ecological and cultural heritage value of the Area, the confinement of the "V" zone to the existing village clusters and the planning control within the "V" zone. On the other hand, TPDC, SKNRC and the VR of Pak Sha O reacted strongly opposing to the proposed "V" zone and the lack of land for Small House development. The land available within the "V" zone confining to the existing core village cluster of Pak Sha O is only able to meet about 3% (equivalent to two houses) of the Small House demand (87 houses) of the village (**Table 1**). As mentioned in paragraph 3.3 above, a new "V" zone is proposed to the north of Pak Sha O Village away from the existing village cluster to cater for the Small House demand.

- (d) The area located to the north of the existing village cluster of Pak Sha O has been rehabilitated for agricultural activities in the past years. It is separated from the village cluster by dense woodland with distances ranging from about 10m to 60m and bounded by the EIS in the north. The area, which is predominantly occupied by active agricultural land and shrubby grassland, mainly comprises private land falling within the village environs ('VE') where about 14 Small House applications had been received by District Lands Officer/ Tai Po, Lands Department (DLO/TP, LandsD) before the gazetting of the draft Pak Sha O DPA Plan in December 2012 (**Plan 7a**). Nevertheless, as substantial portion of the area is under active cultivation, the Agriculture, Fisheries and Conservation Department (AFCD) has reservation on the proposed designation of the area as "V" from agricultural development point of view. Alternatively, from the nature conservation perspective, AFCD has no strong view on the proposed "V" zone extension as most of the area has already been disturbed by farming activities. However, any proposed extension to the "V" zone should be fully justified for meeting the Small House demand.
- (e) In view of the significant shortfall of land for Small House development and in recognition of the need to conserve the ambience of the existing village with significant cultural heritage and landscape values of Pak Sha O, consideration may be given to designate this area of about 0.8 ha as a new village cluster for Small House development. As the area does not involve significant environmental sensitive areas and is located away from the existing village ambience, it is unlikely that Small House developments in the area would cause significant adverse impacts on the surrounding areas. To protect the EIS along the northern periphery of the agricultural plots from potential Small House developments in the newly proposed "V" zone, a 20m-wide buffer area in-between is proposed to be zoned "GB" (**Plans 7b and 10**).
- (f) As a result, the original "V" zone of the previous draft OZP No. S/NE-PSO/B covering the two core village clusters with more stringent planning control is designated as "Village Type Development (1)" ("V(1)") sub-area. The revised draft OZP No. S/NE-PSO/C incorporating these amendments together with its Notes and ES are attached at **Annexes I to III**. The corresponding amendments to the Notes in relation to the newly proposed "V" zone and redesignation of the original "V" zone to "V(1)" sub-area is attached at **page 1 and 2 of Annex II**.
- (g) The all along incremental approach for designation of the "V" zones remains unchanged on the current draft OZP No. S/NE-PSO/C so as to consolidate Small House development at suitable locations so as to avoid undesirable disturbances to the natural environment and overtaxing the limited infrastructure in the Area. The updated assessment on the supply and demand for Small House in the Area is summarized in **Table 1**. Land available within the "V" zones of Pak Sha O (i.e. including the "V(1)" sub-area) is capable of building 31 Small Houses to meet about 37% of the Small House demand in Pak Sha O. While land zoned "V" is still insufficient to meet the outstanding Small House demand of 38 and the 10-year forecast of 49, 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 which is located within Water Gathering Ground (WGG), the surplus of land

for Small House development within the “V” zone of Pak Tam Au² could help to meet the Small House demand of other villages within the WGG 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 means for the villagers to apply for Small House development outside the “V” zones subject to the Board’s approval. In comparison with the DPA Plan, the total land area of “V” zone is reduced from 1.38 ha to 1.24 ha.

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)					
Pak Sha O “V(1)”						0.32		0.06 (2 houses)	3%
Pak Sha O “V”	38	49*	38*	190*	5.79 (5.30)	0.74	2.18	0.74 (29 houses)	34%
Sub-total						1.06		0.80 (31 houses)	37%
Pak Sha O Ha Yeung “V(1)”	6	NA	7	NA	4.86 (3.75)	0.18	0.18	0.09 (3 houses)	50%
Total	44	49	45	190	10.65 (9.05)	1.24	2.36	0.89 (34 houses)	38%

* 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.

² 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.

- (h) As the Area falls entirely within the upper indirect WGG without existing or proposed public sewer, there is concern over the potential adverse impact from Small House development. In this regard, it should be noted that 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 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. Accordingly, the Lands Department (LandsD) when processing Small House grant applications in the Area, would consult concerned departments including AFCD, Environmental Protection Department (EPD) and Water Supplies Department (WSD), etc. to ensure that all relevant departments would have adequate opportunity to review and comment on the applications. As such, there should be sufficient administrative mechanism to ensure the water quality of the Area.

Conservation zonings for ecologically sensitive areas

- (i) For the proposals that all woodland, natural streams including the EIS and their riparian zones (30m along both sides of streams) and the wetland should be zoned “CA” or “GB(1)” with no provision for planning application for new Small House developments, it should be noted that on the revised draft OZP No. S/NE-PSO/C, the mature (*fung shui*) woodland at Pak Sha O and the freshwater marsh at Pak Sha O Ha Yeung have been zoned “CA”, and the areas and slopes occupied by natural vegetation, woodlands and freshwater marshes, an EIS, natural streams and their riparian zones have generally been zoned “GB” (**Plans 9 and 10**). Both “CA” and “GB” zones are conservation zonings and there is a general presumption against development. Under the “GB” zone, house development requires planning permission from the Board. Any potential adverse impact from Small House development on the surrounding area would be assessed through the planning application system in consultation with departments concerned. Each application will be considered by the Board based on its individual merits taking into account of the prevailing planning circumstances, relevant guidelines and relevant departments’ comments. In view of the above, there is no strong justification to delete ‘House’/ ‘Small House’ from Column 2 uses of “GB” zone. Moreover, any diversion of streams, filling of land/pond or excavation of land should not be undertaken without permission from the Board. As advised by the AFCD, the areas zoned as “GB” on the draft OZP are mainly woodland developed from abandoned agricultural land. Hence, the proposed “GB” zoning is considered appropriate.
- (j) Parts of the riparian areas of the EIS under cultivation have been included in the “AGR” zone to better reflect the planning intention and the existing agricultural activities (**Plan 9**). The Waterworks Ordinance (Cap. 102) empowers the Water Authority to enforce the control of pollution within WGG. According to 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 safeguards for the protection of the EIS.

Rezoning the woodland and the adjoining areas at Pak Sha O from “GB” to “AGR”
(Drawing 1 and Plan 9)

- (k) The concerned area mainly comprises dense woodland and the adjoining areas situated between the existing village cluster of Pak Sha O and the active agricultural plots. The western fringe of the site has been proposed to be rezoned from “GB” to “V” for the reasons stated in paragraphs 4.1(d), (e) and (g) above (**Plan 9**). For the remaining part of the area, Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) comments that there is no strong justification to the proposed rezoning of the woodland and the adjoining areas from “GB” to “AGR” and the proposal does not tally with the existing site condition. Preservation of woodland under the current “GB” zone would better meet the planning intention and provide a more desirable and secluded setting for the Hakka village. It would also provide a buffer between the old and new villages.

Amending the Notes and ES of the draft OZP

- (l) The Notes of the “AGR” and “GB” zones primarily follows the MSN agreed by the Board. ‘House (New Territories Exempted House only)’ and ‘House’ are Column 2 uses under the “AGR” and “GB” zones respectively requiring planning permission from the Board. Each application will be considered by the Board based on its individual merits taking into account the prevailing planning circumstances and relevant guidelines. In view of the above, there is no strong justification for the above proposal.
- (m) On the proposal to remove the clause permitting laying of soil not exceeding 1.2m in thickness for cultivation from the Remarks of the Notes of the “AGR” zone, it should be noted that although ‘Agricultural Use’ is a Column 1 use always permitted in “AGR” zone, filling of land/pond to effect a change of use to any of those specified in Column 1 and 2 uses, which may cause adverse drainage and environmental impacts to rural areas, requires prior planning permission from the Board. AFCD advises that the depth of soil needed for vegetable farming and tree planting is generally about 0.3m to 0.45m and 1m to 1.2m respectively. To exempt laying of soil not exceeding a thickness of 1.2m for cultivation from planning control would avoid unduly affecting genuine agricultural practice. Besides, filling of land other than laying of soil not exceeding 1.2m in thickness for genuine cultivation may constitute an unauthorized development and subject to the enforcement provisions under the Ordinance. Removal of such clause to prevent abuse does not appear to be justified from agricultural point of view.
- (n) According to the current regulatory mechanism as mentioned in paragraphs 4.1(h) and (j) above, the use of pesticide within the WGG is not allowed. As for the use of other chemicals including fertilizers, prior approval must be sought from WSD and WSD will continue to monitor the water quality in the area to ensure the safety of raw water for drinking water supply. It is proposed to spell out clearly the current regulatory mechanism in the ES (**paragraph 7.2.5 of the ES at Annex III**).

- (o) As for the proposed amendments of the Notes and ES in relation to protection of historical or old buildings, it has been stipulated in the Remarks of the Notes of the “V(1)” sub-area and relevant paragraphs of the ES of the draft OZP that proposed house and any demolition, or addition, alteration and/or modification to or redevelopment of an existing building within existing core village clusters requires planning permission. Prior consultation with Antiquities and Monuments Office of the Leisure and Cultural Services Department (AMO of LCSD) should be made if any development, redevelopment or rezoning proposals might affect the historic buildings, new items pending grading assessment and their immediate environs. Such provision has provided sufficient protection to the historical or old buildings in consultation with AMO of LCSD.

Incorporating the Area into Country Park

- (p) With respect to the proposal to incorporate the CPEs into the Country Park, it should be noted that designation of Country Parks is under the jurisdiction of the Country and Marine Parks Board under the Country Parks Ordinance (Cap. 208) which is outside the purview of the Board. Preparation of the statutory plan would not preclude any future designation of Country Parks.

Ecological information

- (q) Noting that AFCD would not dispute the ecological information in relation to the findings of the records of bird occurrence in the Area submitted by HKBWS³, it is proposed to incorporate the information in the ES of the draft OZP where appropriate (**paragraph 7.2.1.4 at Annex III**).

4.2 The revised draft OZP No. S/NE-PSO/C together with its Notes and ES are attached at **Annexes I to III**. Apart from the change of the areas to the north of Pak Sha O from “AGR” and “GB” to “V” and from “AGR” to “GB” as well as the redesignation of the original “V” zone of the previous draft OZP No. S/NE-PSO/B covering the two core village clusters with stricter planning control as “V(1)” (**Plan 10**) and the corresponding amendments to the Notes (**page 1 and 2 of Annex II**) and ES (**paragraph 9.1.1 and 9.1.3 of Annex III**), other proposed land use zonings on the draft OZP remain unchanged. The ES has also been updated to spell out the regulatory mechanism of WSD in WGG and the information regarding the records of bird occurrence (**paragraphs 7.2.1.4 and 7.2.5 at Annex III**).

4.3 A table comparing the land use budget of the area covered by the draft Pak Sha O OZP No. S/NE-PSO/C and the previous draft OZP No. S/NE-PSO/B is shown below:

Zoning	Draft Pak Sha O OZP No. S/NE-PSO/B (ha/ %)		Draft Pak Sha O OZP No. S/NE-PSO/C (ha/ %)		Increase/ Decrease (ha/ %)	
	ha	%	ha	%	ha	%
V*	0.50	1.50%	1.24	3.73%	+0.74	+148.00 %
GIC	0.52	1.56%	0.52	1.56%	no change	no change
AGR	1.49	4.48%	0.18	0.54%	-1.31	-87.92%
GB	28.86	86.74%	29.42	88.43%	+0.56	+1.94%

³ See Footnote 1.

CA	1.36	4.09%	1.36	4.09%	no change	no change
Major Road	0.54 [^]	1.63%	0.55 [^]	1.65%	+0.01	+1.85%
Total Planning Area	33.27	100%	33.27	100%	no change	no change

* Compared with the approved Pak Sha O DPA Plan No. DPA/NE-PSO/2, the “V” zone on the current draft OZP No. S/NE-PSO/C has been decreased by about 10% (from 1.38 ha to 1.24 ha).

[^] The difference in the area of major road between the previous draft OZP No. S/NE-PSO/B and the current draft OZP No. S/NE-PSO/C is attributable to rounding of figures.

5. Consultation

The TPDC and SKNRC will be consulted after the Board’s agreement to the publication of the draft Pak Sha O OZP under section 5 of the Ordinance during the exhibition period of the OZP.

6. Decision Sought

Members are invited to:

- (a) note the comments from and responses to the TPDC, SKNRC, VR of Pak Sha O, green/ concern groups and members of the public on the draft Pak Sha O OZP No. S/NE-PSO/B;
- (b) agree that the draft Pak Sha O OZP No. S/NE-PSO/C (to be renumbered as S/NE-PSO/1 upon gazetting) and its Notes (**Annexes I and II**) are suitable for exhibition for public inspection under section 5 of the Ordinance;
- (c) adopt the ES (**Annex III**) 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/C; and
- (d) agree that the ES is suitable for exhibition for public inspection together with the draft OZP and issued under the name of the Board.

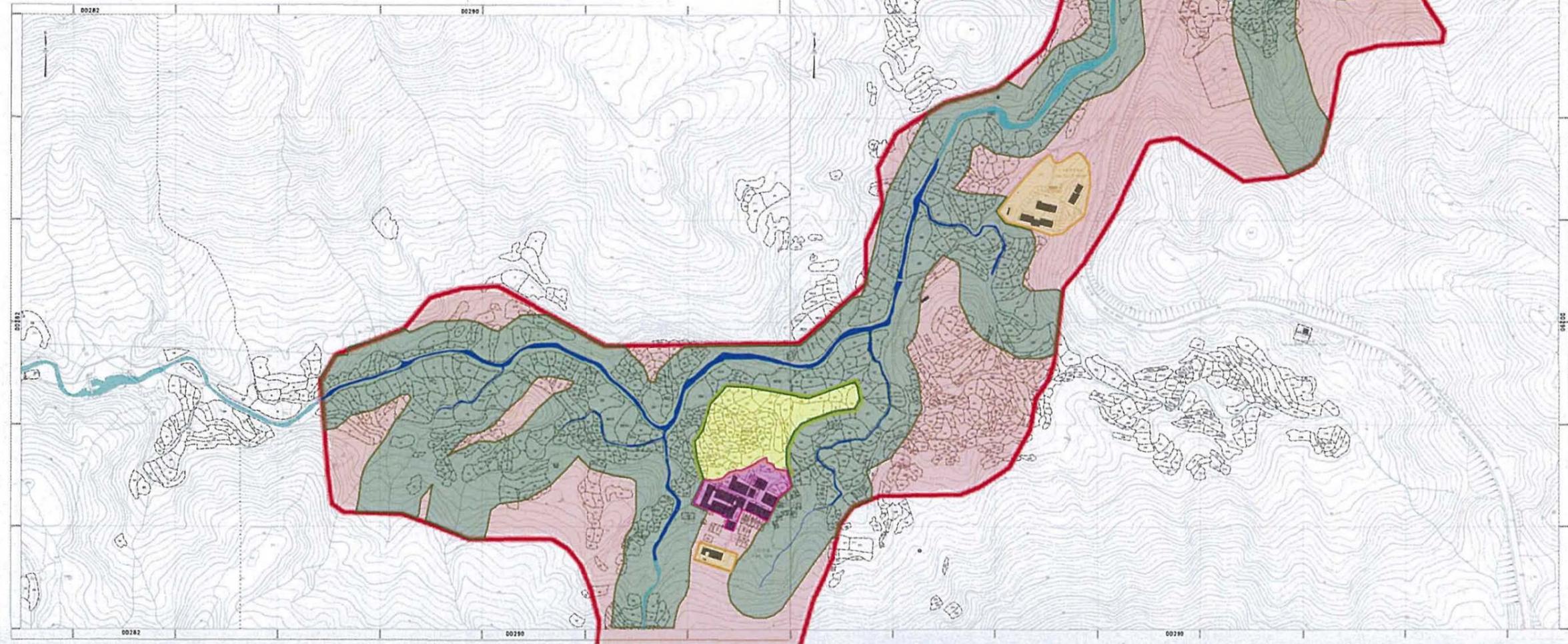
Attachments

Drawing 1	Proposal from a Member of the Public
Plan 1	Proposed Land Uses - Draft Pak Sha O OZP No. S/NE-PSO/B
Plan 2	Aerial Photo
Plan 3	Village 'Environs' and Existing Physical Features
Plan 4	Existing Land Uses
Plan 5	Land Ownership and Village 'Environs'
Plan 6	Development Constraints and Proposed Land Uses
Plan 7a	Preliminary Proposal of the Planning Department
Plan 7b	Proposed Amendments to the draft OZP No. S/NE-PSO/B
Plan 8	Proposals from Green/ Concern Groups and Members of the Public
Plan 9	EIS and its Riparian Areas to the North of Pak Sha O
Plan 10	Proposed Land Uses - Draft Pak Sha O OZP No. S/NE-PSO/C
Annex I	Draft Pak Sha O OZP No. S/NE-PSO/C
Annex II	Notes of the Draft Pak Sha O OZP No. S/NE-PSO/C
Annex III	Explanatory Statement of the Draft Pak Sha O OZP No. S/NE-PSO/C
Annex IV	Extract of Minutes of the Town Planning Board Meeting held on 24.7.2015
Annex V	TPB Paper No. 9965 (considered by the Town Planning Board on 24.7.2015)
Annex VI-1	Letter dated 1.9.2015 from VR of Pak Sha O
Annex VI-2	Letter dated 7.9.2015 from SKNRC
Annex VI-3	Letter dated 10.9.2015 from SKNRC
Annex VII-1	Submission from WWF-Hong Kong dated 28.7.2015
Annex VII-2	Submission from HKBWS dated 6.8.2015
Annex VII-3	Submission from FOHH dated 21.8.2015
Annex VII-4	Submission from DHK dated 11.8.2015 and 21.8.2015
Annex VII-5	Submission from KFBG dated 21.8.2015
Annexes VII-6 to VII-9	Submissions from Members of the Public

**PLANNING DEPARTMENT
NOVEMBER 2015**

-  Built Structures
-  Ruins
-  Private Ownership
-  Village Type Development
-  Conservation Area
-  Government, Institution or Community Area
-  Agriculture Area
-  Green Belt Area
-  Non-Country Park Enclave (approx. delineation). Approx Contour of DPA.
-  Ecologically Important Stream - Hoi Ha (AFCD limits)

Scale 1:1000





SAI KUNG WEST COUNTRY PARK

HOI HA ROAD

PAK SHA O HA YEUNG

Pak Sha O Youth Hostel

NAM SHAN TUNG

PAK SHA O

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)

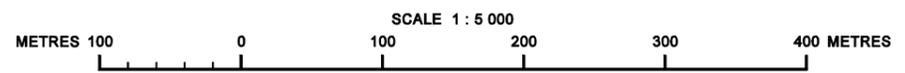
PROPOSED LAND USES - DRAFT PAK SHA O OZP No. S/NE-PSO/B

PAK SHA O

PLANNING DEPARTMENT



PLAN PREPARED ON 19.10.2015
BASED ON SURVEY SHEETS No.
8-NW-4C/D, 5C/D, 9A/B/C/D & 10A/B/C/D



REFERENCE No.
M/CPE/PSO/15/9

PLAN
1



SAI KUNG WEST COUNTRY PARK

HOI HA ROAD

PAK SHA O
HA YEUNG

Pak Sha O
Youth Hostel

NAM SHAN
TUNG

PAK SHA O

SAI KUNG WEST COUNTRY PARK

LEGEND



STUDY AREA



COUNTRY PARK
BOUNDARY

AERIAL PHOTO

PAK SHA O

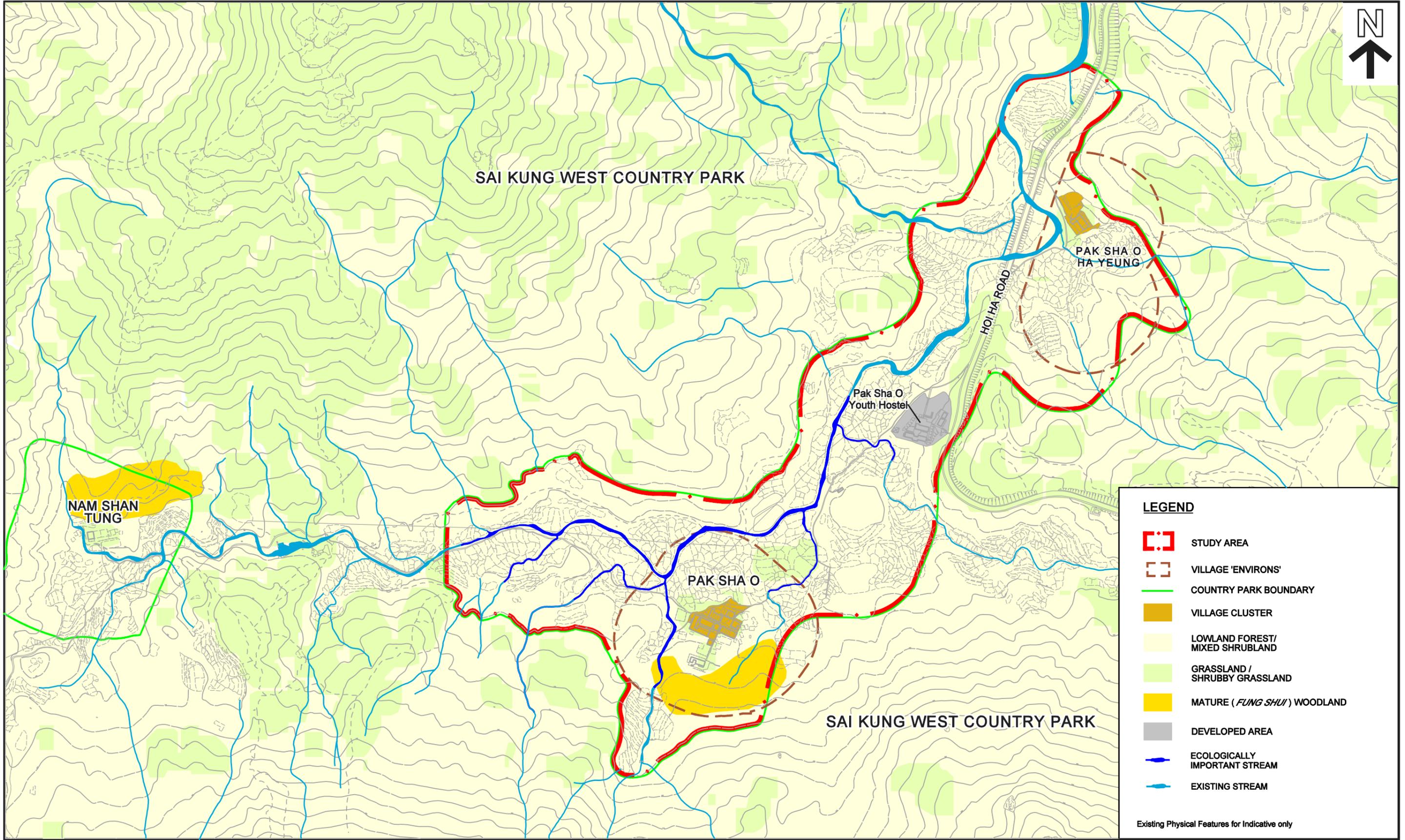
PLANNING DEPARTMENT



PLAN PREPARED ON 21.8.2015 BASED ON
AERIAL PHOTOS No.CS56326, CS56327, CS56328, CS56550 & CS56552
TAKEN ON 3.1.2015 BY LANDS DEPARTMENT

REFERENCE No.
M/CPE/PSO/15/9

PLAN
2



LEGEND

-  STUDY AREA
-  VILLAGE 'ENVIRONS'
-  COUNTRY PARK BOUNDARY
-  VILLAGE CLUSTER
-  LOWLAND FOREST/
MIXED SHRUBLAND
-  GRASSLAND /
SHRUBBY GRASSLAND
-  MATURE (*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



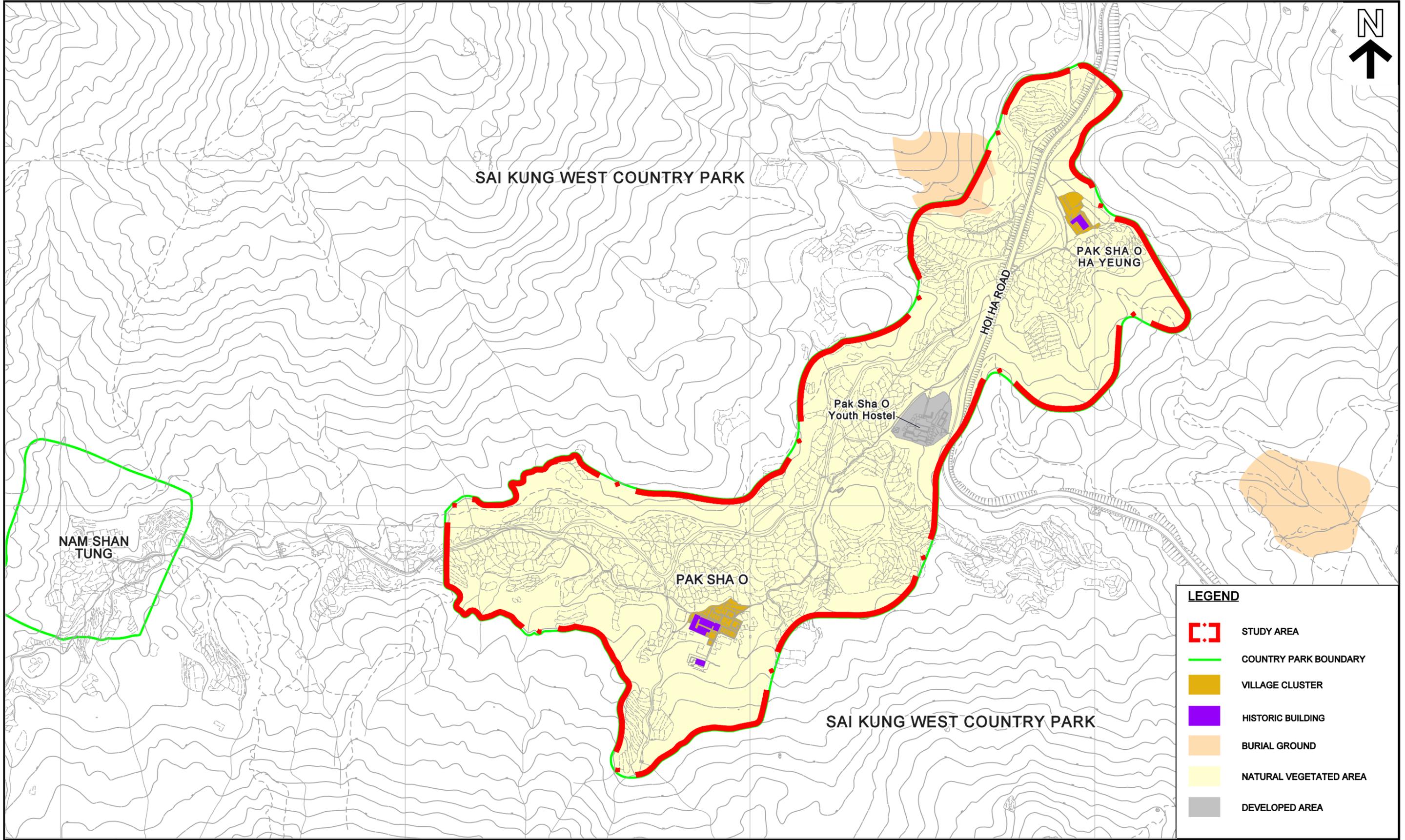
PLAN PREPARED ON 14.9.2015
BASED ON SURVEY SHEETS No.
8-NW-4C/D, 5C/D, 9A/B/C/D & 10A/B/C/D

PLANNING DEPARTMENT



REFERENCE No.
M/CPE/PSO/15/9

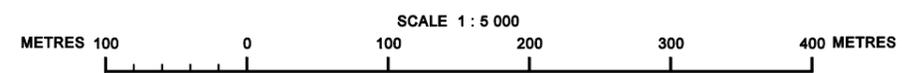
PLAN
3



LEGEND	
	STUDY AREA
	COUNTRY PARK BOUNDARY
	VILLAGE CLUSTER
	HISTORIC BUILDING
	BURIAL GROUND
	NATURAL VEGETATED AREA
	DEVELOPED AREA

EXISTING LAND USES

PAK SHA O



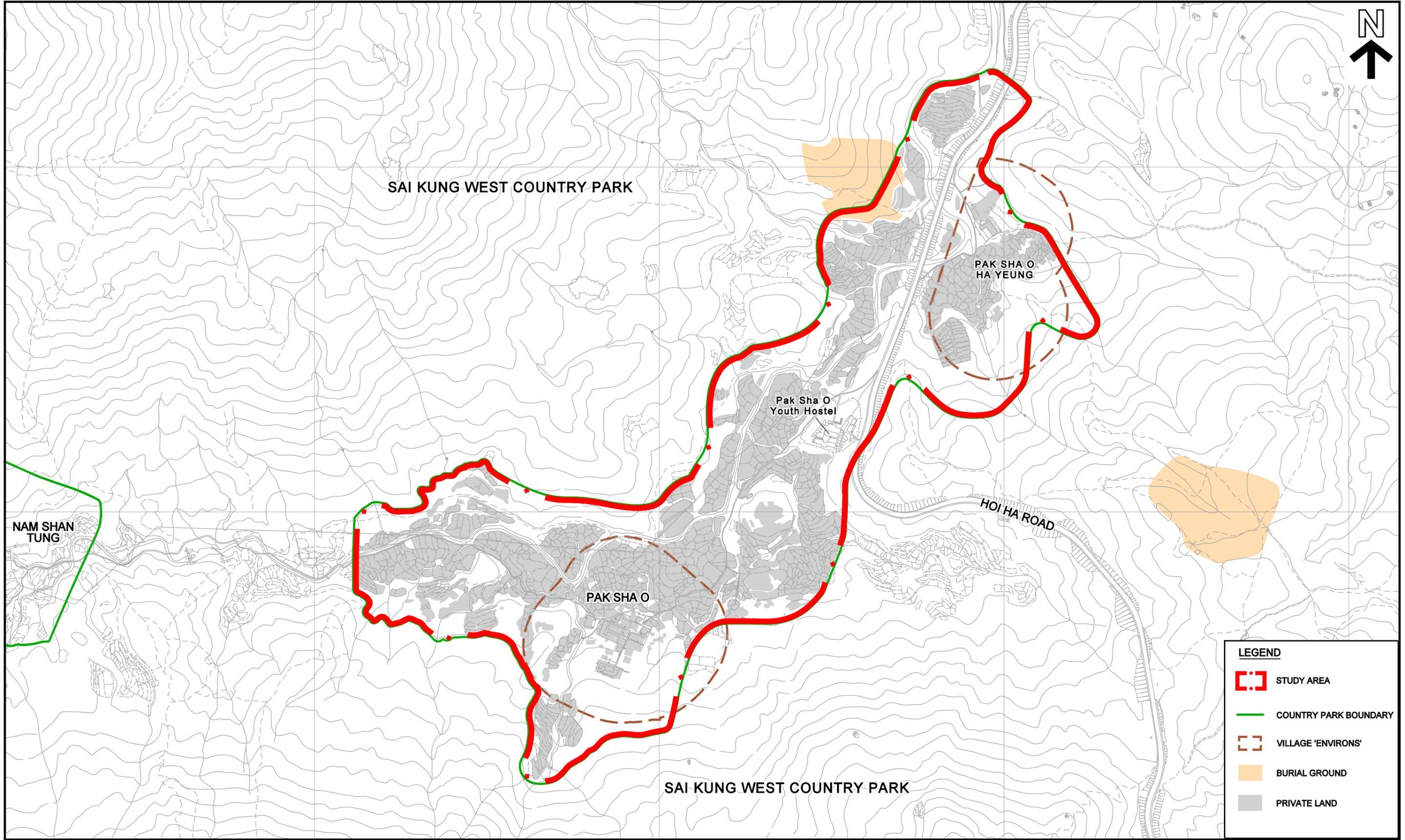
PLAN PREPARED ON 14.9.2015
BASED ON SURVEY SHEETS No.
8-NW-4C/D, 5C/D, 9A/B/C/D & 10A/B/C/D

PLANNING DEPARTMENT



REFERENCE No.
M/CPE/PSO/15/9

PLAN
4

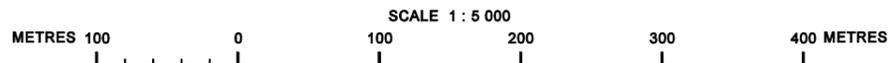


LEGEND

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

LAND OWNERSHIP AND VILLAGE 'ENVIRONS'

PAK SHA O



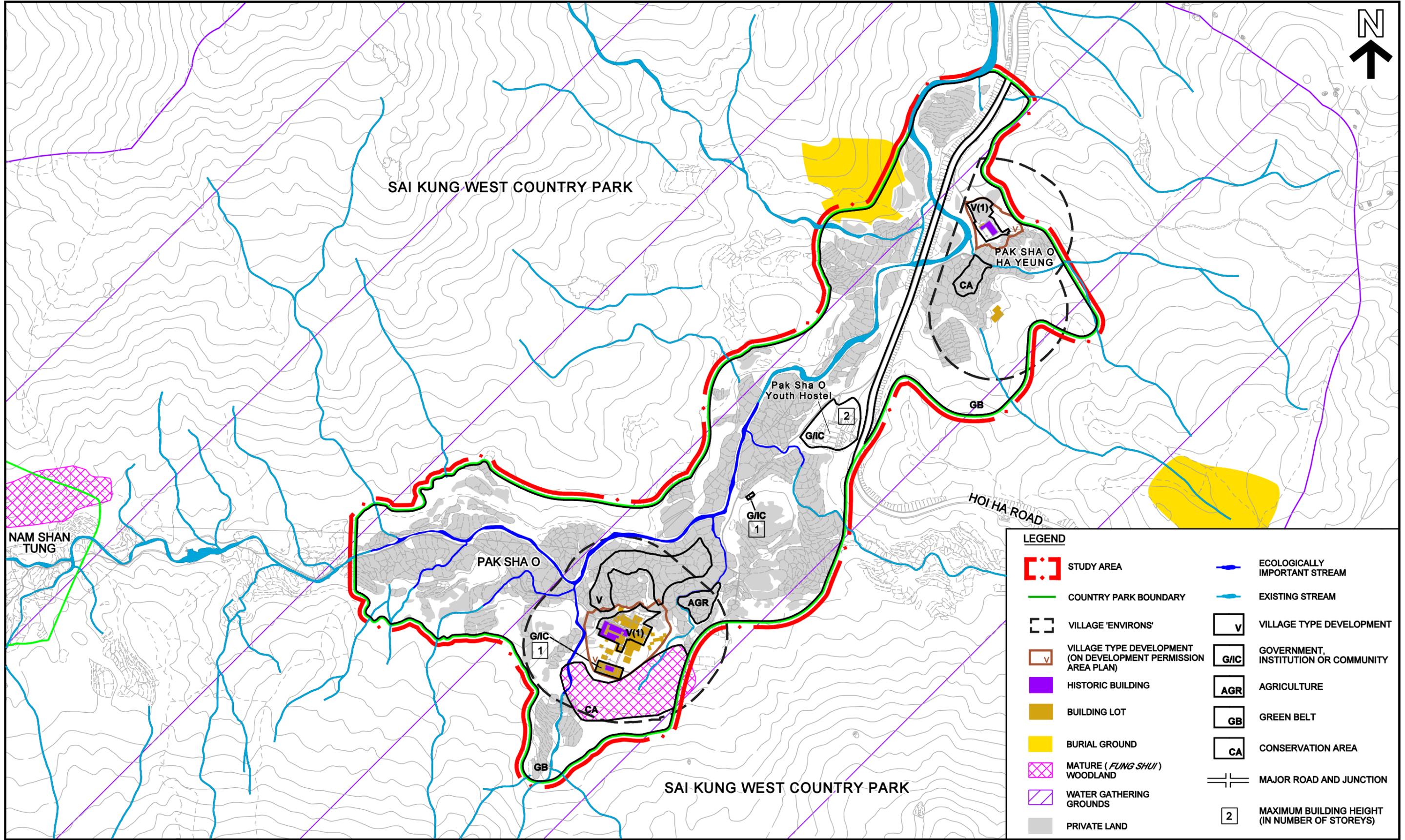
PLAN PREPARED ON 14.9.2015
BASED ON SURVEY SHEETS No.
8-NW-4C/D, 5C/D, 9A/B/C/D & 10A/B/C/D

PLANNING DEPARTMENT



REFERENCE No.
M/CPE/PSO/15/9

PLAN
5

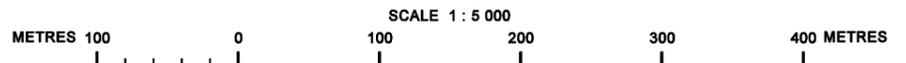


LEGEND			
	STUDY AREA		ECOLOGICALLY IMPORTANT STREAM
	COUNTRY PARK BOUNDARY		EXISTING STREAM
	VILLAGE 'ENVIRONS'		VILLAGE TYPE DEVELOPMENT
	VILLAGE TYPE DEVELOPMENT (ON DEVELOPMENT PERMISSION AREA PLAN)		GOVERNMENT, INSTITUTION OR COMMUNITY
	HISTORIC BUILDING		AGRICULTURE
	BUILDING LOT		GREEN BELT
	BURIAL GROUND		CONSERVATION AREA
	MATURE (FUNG SHUI) WOODLAND		MAJOR ROAD AND JUNCTION
	WATER GATHERING GROUNDS		MAXIMUM BUILDING HEIGHT (IN NUMBER OF STOREYS)
	PRIVATE LAND		

DEVELOPMENT CONSTRAINTS AND PROPOSED LAND USES

PAK SHA O

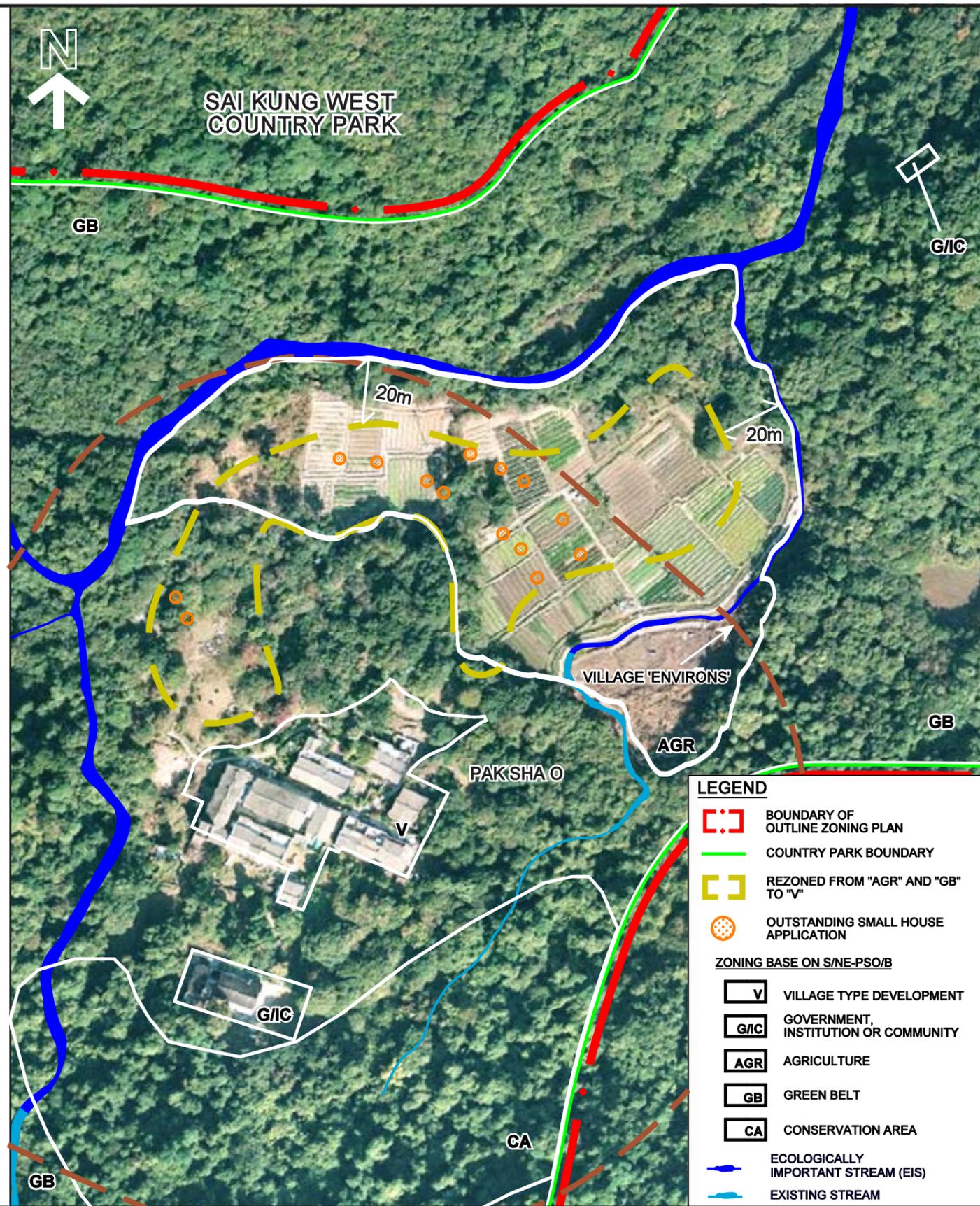
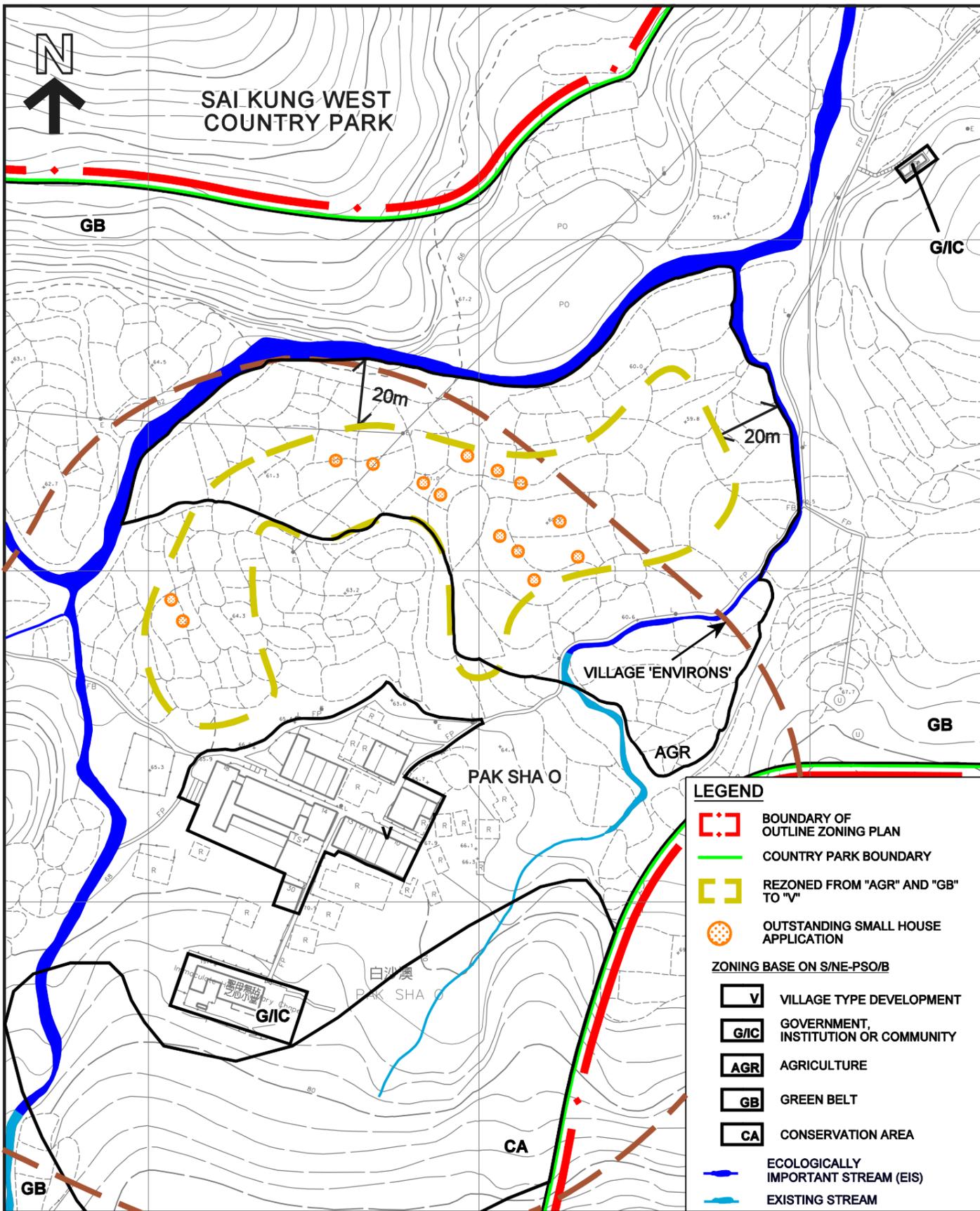
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 BASED ON SURVEY SHEETS No.
 8-NW-4C/D, 5C/D, 9A/B/C/D & 10A/B/C/D



PLANNING DEPARTMENT

REFERENCE No.
M/CPE/PSO/15/9

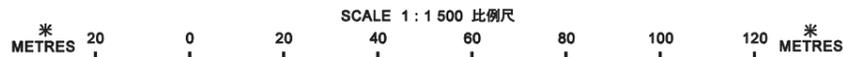
PLAN
6



PLAN PREPARED ON 2.11.2015
 BASED ON SURVEY SHEETS No.
 8-NW-9/B/D & 10A/C AND
 AERIAL PHOTO No. CS56327
 TAKEN ON 3.1.2015 BY LANDS DEPARTMENT

PRELIMINARY PROPOSAL OF THE PLANNING DEPARTMENT

PAK SHA O

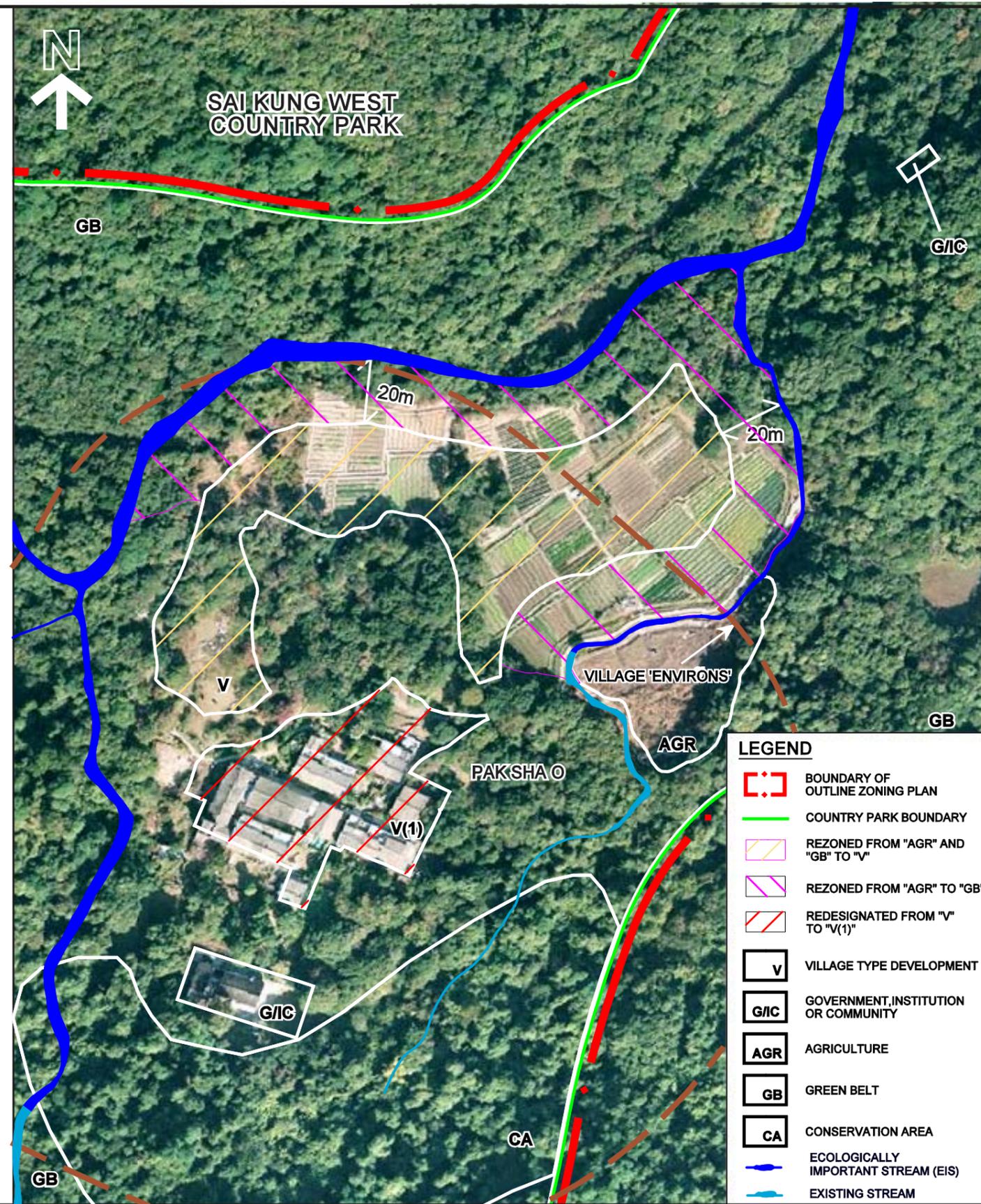
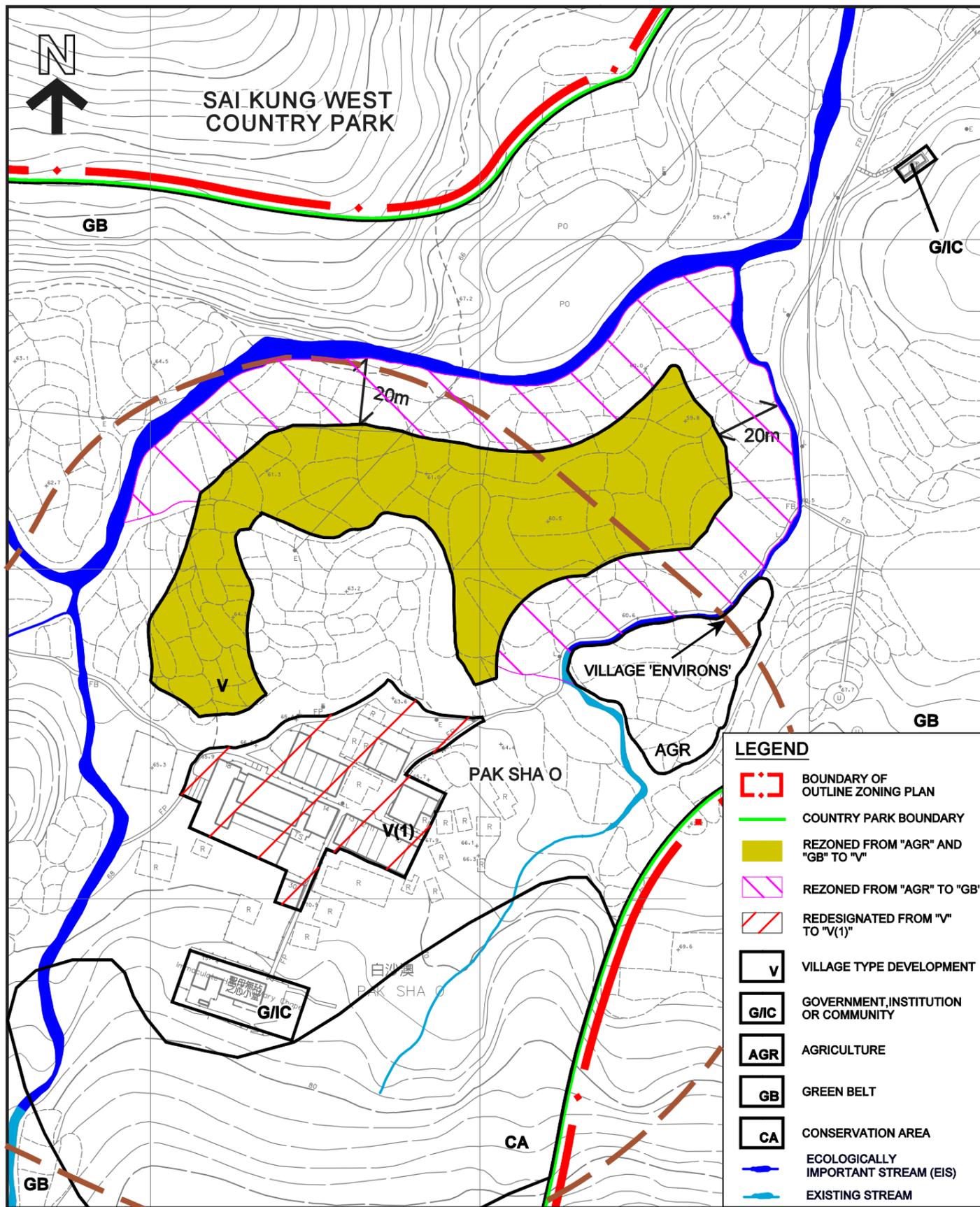


PLANNING DEPARTMENT



REFERENCE No.
 M/CPE/PSO/15/9

PLAN
 7a



PLAN PREPARED ON 3.11.2015
 BASED ON SURVEY SHEETS No.
 8-NW-9/B/D & 10A/C AND
 AERIAL PHOTO No. CS56327
 TAKEN ON 3.1.2015 BY LANDS DEPARTMENT

PROPOSED AMENDMENTS TO THE DRAFT OZP No. S/NE-PSO/B

PAK SHA O



PLANNING DEPARTMENT



REFERENCE No.
 M/CPE/PSO/15/9

PLAN
 7b



SAI KUNG WEST COUNTRY PARK

TO DESIGNATE ALL WOODLANDS,
NATURAL STREAMS (INCLUDING EIS)
AND THEIR RIPARIAN ZONES
AS "CA" OR "GB(1)"

TO REZONE THE WOODLAND AND
THE ADJOINING AREAS FROM "GB" TO "AGR"

HOI HA ROAD

PAK SHA O
HA YEUNG

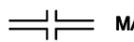
Pak Sha O
Youth Hostel

PAK SHA O

SAI KUNG WEST COUNTRY PARK

NAM SHAN
TUNG

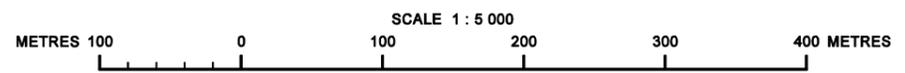
LEGEND

-  BOUNDARY OF OUTLINE ZONING PLAN
 -  COUNTRY PARK BOUNDARY
 -  RIPARIAN ZONES (30m ON BOTH SIDES) OF NATURAL STREAMS
- ZONING BASE ON S/NE-PSO/B**
-  V VILLAGE TYPE DEVELOPMENT
 -  G/I/C GOVERNMENT, INSTITUTION OR COMMUNITY
 -  AGR AGRICULTURE
 -  GB GREEN BELT
 -  CA CONSERVATION AREA
-  MAJOR ROAD AND JUNCTION
 -  2 MAXIMUM BUILDING HEIGHT (IN NUMBER OF STOREYS)
 -  ECOLOGICALLY IMPORTANT STREAM (EIS)
 -  EXISTING STREAM

PROPOSALS FROM GREEN / CONCERN GROUPS AND MEMBERS OF THE PUBLIC

PAK SHA O

PLAN PREPARED ON 15.10.2015
BASED ON SURVEY SHEETS No.
8-NW-4C/D, 5C/D, 9A/B/C/D & 10A/B/C/D

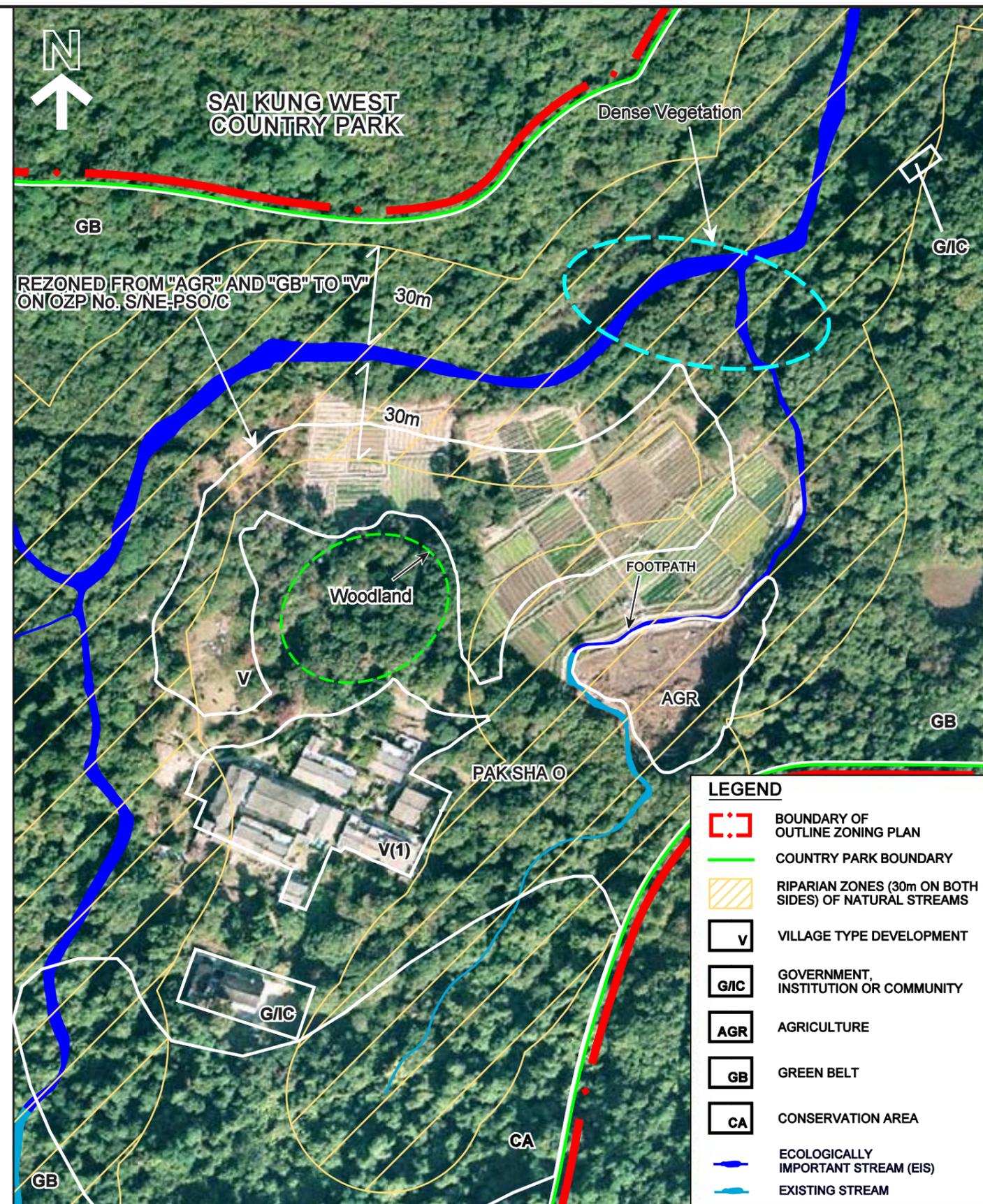
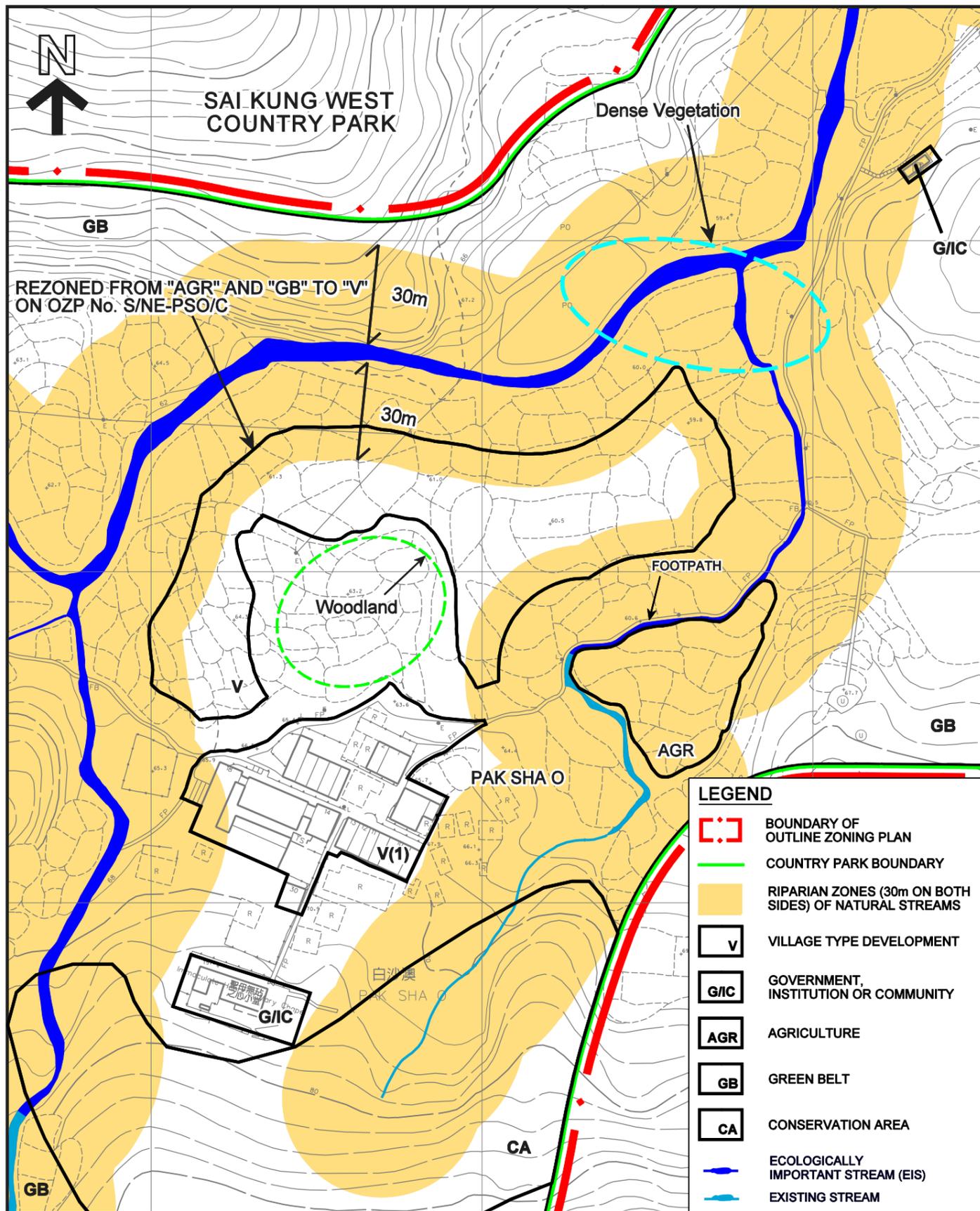


PLANNING DEPARTMENT



REFERENCE No.
M/CPE/PSO/15/9

PLAN
8



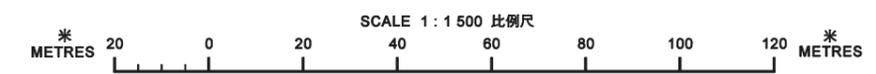
- LEGEND**
- BOUNDARY OF OUTLINE ZONING PLAN
 - COUNTRY PARK BOUNDARY
 - RIPARIAN ZONES (30m ON BOTH SIDES) OF NATURAL STREAMS
 - V VILLAGE TYPE DEVELOPMENT
 - G/I/C GOVERNMENT, INSTITUTION OR COMMUNITY
 - AGR AGRICULTURE
 - GB GREEN BELT
 - CA CONSERVATION AREA
 - ECOLOGICALLY IMPORTANT STREAM (EIS)
 - EXISTING STREAM

- LEGEND**
- BOUNDARY OF OUTLINE ZONING PLAN
 - COUNTRY PARK BOUNDARY
 - RIPARIAN ZONES (30m ON BOTH SIDES) OF NATURAL STREAMS
 - V VILLAGE TYPE DEVELOPMENT
 - G/I/C GOVERNMENT, INSTITUTION OR COMMUNITY
 - AGR AGRICULTURE
 - GB GREEN BELT
 - CA CONSERVATION AREA
 - ECOLOGICALLY IMPORTANT STREAM (EIS)
 - EXISTING STREAM

PLAN PREPARED ON 29.10.2015
 BASED ON SURVEY SHEETS No.
 8-NW-9/B/D & 10A/C AND
 AERIAL PHOTO No. CS56327
 TAKEN ON 3.1.2015 BY LANDS DEPARTMENT

EIS AND ITS RIPARIAN AREAS TO THE NORTH OF PAK SHA O

PAK SHA O



PLANNING DEPARTMENT



REFERENCE No.
 M/CPE/PSO/15/9

PLAN
 9



SAI KUNG WEST COUNTRY PARK

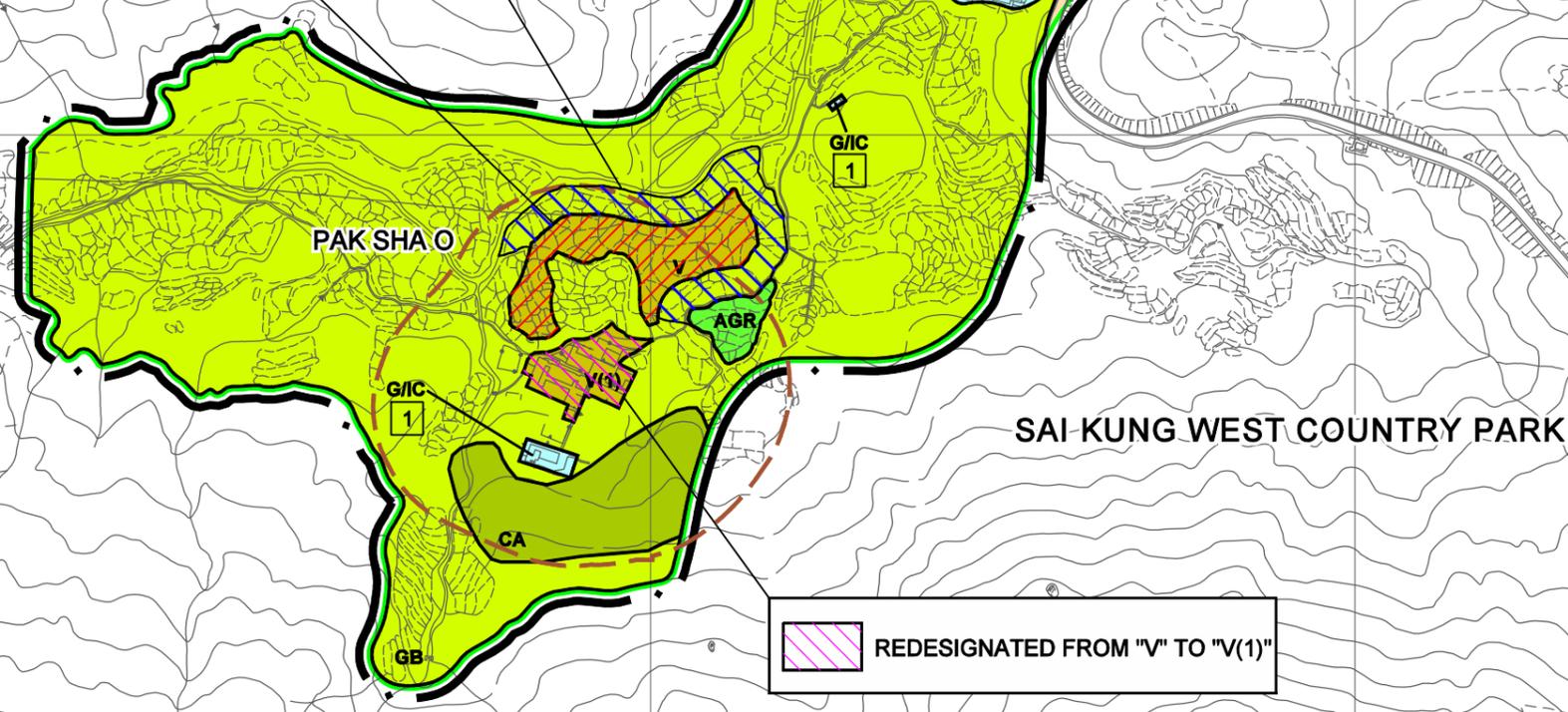
REZONED FROM "AGR" TO "GB"

REZONED FROM "AGR" AND "GB" TO "V"

REDESIGNATED FROM "V" TO "V(1)"

REDESIGNATED FROM "V" TO "V(1)"

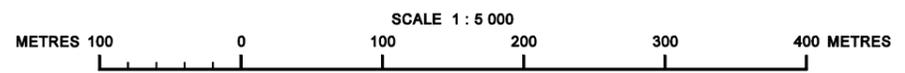
NAM SHAN TUNG



- 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 - DRAFT PAK SHA O OZP No. S/NE-PSO/C

PAK SHA O



PLAN PREPARED ON 3.11.2015
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/15/9

PLAN
10

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

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

NOTES

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

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

- (7) Alignment of roads and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.
- (8) The following uses or developments are always permitted on land falling within the boundaries of the Plan except (a) where the uses or developments are specified in Column 2 of the Notes of individual zones or (b) 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/C

Schedule of Uses

	<u>Page</u>
VILLAGE TYPE DEVELOPMENT	1
GOVERNMENT, INSTITUTION OR COMMUNITY	3
AGRICULTURE	5
GREEN BELT	7
CONSERVATION AREA	9

VILLAGE TYPE DEVELOPMENT

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Government Use (Police Reporting Centre, Post Office only) House (New Territories Exempted House only) (other than on land designated "Village Type Development(1)") 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 (<i>not elsewhere specified</i>) Institutional Use (not elsewhere specified) # Place of Recreation, Sports or Culture Public Clinic Public Convenience Public Utility Installation # Religious Institution (not elsewhere specified) # Residential Institution # School # Shop and Services Social Welfare Facility # Utility Installation for Private Project

In addition, the following uses are always permitted on the ground floor of a New Territories Exempted House (other than on land designated "Village Type Development(1)"):

- Eating Place*
- Library*
- School*
- Shop and Services*

(Please see next page)

VILLAGE TYPE DEVELOPMENT (Cont'd)

Planning Intention

The planning intention of this zone is to designate both existing recognized villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. ***The planning intention of the “Village Type Development(1)” sub-area is to preserve the existing village setting. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House (other than on land designated “Village Type Development(1)”). Other commercial, community and recreational uses may be permitted on application to the Town Planning Board.***

Remarks

- (a) No new development, or addition, alteration and/or modification to or redevelopment of an existing building (except development or redevelopment to those annotated with #) shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23m) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, whichever is the greater.
- (b) ***On land designated “Village Type Development(1)”, 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.
- (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

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

(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

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)

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

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

Planning Intention

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

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

(Please see next page)

CONSERVATION AREA (Cont'd)

Remarks

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

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

EXPLANATORY STATEMENT

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

EXPLANATORY STATEMENT

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

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

EXPLANATORY STATEMENT

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

1. INTRODUCTION

This Explanatory Statement is intended to assist an understanding of the draft Pak Sha O Outline Zoning Plan (OZP) No. S/NE-PSO/C. It reflects the planning intention and objectives of the Town Planning Board (the Board) for various land-use zonings of the plan.

2. AUTHORITY FOR THE PLAN AND PROCEDURE

- 2.1 On 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/1 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/C (the Plan) was exhibited for public inspection under section 5 of the Ordinance.

3. OBJECT OF THE PLAN

- 3.1 The object of the Plan is to 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, freshwater marshes, shrubland 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~~**280** 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 Chong 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 unusually 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* (三線擬鱔).
- 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 hemixanthus* (半黃綠弄蝶) have been recorded. **A diverse group of birds have been found in the Area, including woodland birds, waterbirds, open country birds and raptor species. Among them, some species are of conservation concern, including Brown Fish Owl (*Ketupa zeylonensis*) (褐漁鴉).** 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 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 (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. ***Besides, the use of pesticide within the WGG is not allowed. As for the use of other chemicals including fertilizers, prior approval must be sought from WSD.***

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 1,491.24 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. *The planning intention of the “Village Type Development(1)” (“V(1)”) sub-area is to preserve the existing village setting. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House (other than on land designated “V(1)”). Other 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 this 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. *Within the "V(1)" sub-area*, 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 ~~1.490.18~~ 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 Plots of abandoned agricultural land adjoining the EIS to the northeast of the village cluster of Pak Sha O have been rehabilitated for agricultural purpose. To reflect the 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~~**49.42** 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* (假蘋婆), *Machilus spp.* (楠屬), *Aporusa 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. 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 and the buffer between the “V” zone and the EIS. 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 unusually 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".

- (g) the development on the HKBCF Island would put more emphasis on catering for creative industry rather than retail facilities so as to bring greater benefits to Hong Kong as a whole and the local community such as employment opportunities.

18. The Chairman concluded the discussion by thanking the Study Team for the briefing and expressing the hope that it would take note of Members' views in proceeding with the Study and briefing the Board again at an appropriate juncture. The Study Team left the meeting at this point.

Sha Tin, Tai Po and North District

Agenda Item 4

[Open Meeting]

Draft Pak Sha O Outline Zoning Plan No. S/NE-PSO/B – Preliminary Consideration of a New Plan

(TPB Paper No. 9965)

[The item was conducted in Cantonese.]

19. Ms Janice W.M. Lai had declared an interest as her spouse owned a shop in Sai Kung. Members noted that the shop of Ms Lai's spouse was not located in Pak Sha O and that Ms Lai had tendered apology for not being able to attend the meeting.

20. The following representatives from the Planning Department (PlanD) were invited to the meeting :

Mr C.K. Soh – District Planning Officer/Shan Tin, Tai Po and North (DPO/STN), PlanD

Mr David Y.M. Ng – Senior Town Planner/Country Park Enclave

21. With the aid of a PowerPoint presentation, Mr C.K. Soh, DPO/STN, made the following main points as detailed in the Paper:

Background

- (h) 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). On 7.1.2014, the draft plan was approved by the Chief Executive in Council after completion of the plan-making process;
- (i) pursuant to section 20(5) of the Ordinance, the Pak Sha O DPA Plan was effective for a period of three years until 7.12.2015. An Outline Zoning Plan (OZP) had to be prepared to replace the DPA Plan in order to maintain statutory planning control over the planning scheme area (the Area) upon expiry of the DPA Plan;
- (j) on 22.5.2015, 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;

Planning Context

- (k) the Area, covering a total land area of about 33.27 ha, was encircled by Sai Kung West (SKW) Country Park with Hoi Ha Wan (HHW) Marine Park to the further north. It was 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 were connected to HHW;
- (l) the Area had tranquil and coherent landscape character and fell entirely within upper indirect Water Gathering Grounds (WGGs). It had Ecologically Important Stream (EIS) and mature (*fung shui*) woodland on the hillsides at the southern part of the Area. Pak Sha O and Pak Sha O Ha Yeung were the two recognized villages in the Area with a population of below 50 persons according to the 2011 Population Census. About 56% of the land in the Area was government land (44% private land). Other landscape features included 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;

Issues Arising from Consideration of the DPA Plan

- (m) the village representative of Pak Sha O, Sai Kung North Rural Committee (SKNRC) and local villagers proposed to expand the "Village Type Development" ("V") zone and designate the "Unspecified Use" areas as "Agriculture" ("AGR") and "Recreation";
- (n) the green/concern groups 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;
- (o) the Board on 26.7.2013 decided to partially uphold some of the representations by amending the Notes of the DPA Plan so that any New Territories Exempted House (NTEH) and any demolition of or any addition, alteration and/or modification to or redevelopment of an existing building within the "V" zone would require planning permission from the Board. The Board also 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;

Development Proposals Received in the Course of Preparation of the Plan

- (p) a Green Group indicated that important features and native species should be conserved and protected from development and proposed that : (i) 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; (ii) the "V" zone should be confined to a minimum and should not be expanded; and (iii) should the active agricultural areas be zoned "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;

- (q) the Chairman of SKNRC and Indigenous Inhabitant Representative (IIR) of Pak Sha O considered that : (i) the “V” zone of Pak Sha O should be extended to the immediate north of the existing cluster to cater for the Small House demand; (ii) 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; (iii) areas under agricultural activities should be covered by the “AGR” zoning; and (iv) the Government should provide new access roads and communal sewage treatment facilities to facilitate development of the Area;
- (r) the above views had been taken into account in preparing the draft Pak Sha O OZP and delineating the various land-use zonings;

Land Use Planning Considerations

- (s) Conservation and Natural Landscape - the Area possessed 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. Extensive stretches of wooded areas were largely undisturbed and connected with the surrounding SKW Country Park. There was a mature (*fung shui*) woodland on the hillsides at the southern part of Pak Sha O, and a large stretch of freshwater marsh to the south of the village cluster of Pak Sha O Ha Yeung. Many stream tributaries flowed through the Area feeding the low-lying active agricultural land and regenerated woodlands. The Area supported rare and very rare butterfly species, and a rare freshwater fish species;
- (t) Agriculture - recently, plots of abandoned agricultural land adjoining the EIS to the north of the village cluster of Pak Sha O across the woodland had been rehabilitated for agricultural purpose. To reflect the active agricultural use on site, it was proposed that the area should be designated as “AGR” zone. Diversion of streams required planning permission from

the Board. The use of pesticide within WGG was not allowed. There should be sufficient safeguard for the protection of the part of the EIS;

- (u) Village Development - the two recognized villages in the Area, namely Pak Sha O and Pak Sha O Ha Yeung, were outstanding vernacular Hakka villages and were well-preserved with historical buildings. The heritage value of historic buildings partly lied in their original physical environment, and any change to the existing vernacular Hakka village setting with possible adverse impact on the heritage value of historic buildings should be avoided. To conserve the ambience of the existing villages, an incremental approach had been adopted for designating the "V" zones. In order to ensure that new houses would be in harmony with the existing historic buildings, stricter planning control over village development had been proposed for the two existing core village clusters. The area of the "V" zone had been reduced from 1.38 ha on the DPA Plan to 0.5 ha on the draft OZP Plan to mainly cover the core village clusters. A total of about 0.15 ha of land (or equivalent to about 5 houses) available in the "V" zone was capable of meeting about 6% of the total Small House demand of 94 houses for Pak Sha O and Pak Sha O Ha Yeung. While land zoned "V" was insufficient to meet Small House demand in the Area, cross-village applications might be considered under the current land administrative practice. The surplus of land for Small House development within the "V" zone of Pak Tam Au could help meet the Small House demand of other villages within the Country Park enclaves in Sai Kung North (e.g. Pak Sha O and Pak Sha O Ha Yeung);

Planning Intention

- (v) the general planning intention for the Area was to conserve the high natural landscape and ecological significance of the Area in safeguarding the natural habitat and natural system of the wider area. Village development was consolidated so as to avoid undesirable disturbances to the natural environment and overtaxing the limited infrastructure in the Area. The planning intention was 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;

- (w) in the designation of various land use zones in the Area, consideration had 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 were proposed to be designated on the draft OZP;

Land Use Zoning Proposals

- (a) “Conservation Area” (“CA”) zone (1.36 ha) – it included 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, and the large stretch of freshwater marsh to the south of the village cluster of Pak Sha O Ha Yeung, where an orchid species with a limited local distribution was found;
- (b) “Green Belt” (“GB”) zone (28.86 ha) – it included 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 were contiguous with SKW Country Park and conserve the natural and rural character of the Area. Part of a traditional burial ground falling within the “GB” zone had been in existence for many years, and was considered as an existing use. Burial activities within the traditional burial ground in the zone were generally tolerated;
- (c) “Government, Institution or Community” zone (0.52 ha) – it included three sites covering Pak Sha O Youth Hostel, Immaculate Heart of Mary Chapel and a public toilet located to the south of the youth hostel;
- (d) “AGR” zone (1.49 ha) – it was intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It was also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes, and to reflect the active agricultural use on site;

- (e) “V” zone (0.50 ha) – it was intended to designate both existing recognized villages and areas of land considered suitable for village expansion. The boundaries of the “V” zone were drawn up having regard to the village ‘environs’, the number of outstanding Small House applications, Small House demand forecast, local topography, site constraints and the high conservation value of existing buildings. Any change to the existing village setting should be avoided. Addition, alteration, modification, redevelopment of an existing building required planning permission from the Board. Prior consultation with relevant authorities should be made; and

Consultation

- (f) prior to the preparation of the draft OZP, the major stakeholders had been approached for their views/proposals. The draft OZP together with its Notes and Explanatory Statement (ES) and the Planning Report had been circulated to the relevant government bureaux and departments for comments, and comments received had been incorporated as appropriate. Subject to the agreement of the Board, the draft OZP No. S/NE-PSO/B would be submitted to the Tai Po District Council (TPDC) and the SKNRC for consultation. Comments from the TPDC and the SKNRC would be submitted to the Board for consideration prior to the publication of the draft OZP.

22. As the presentation of the representatives of PlanD was completed, the Chairman invited questions from Members.

[Mr Frankie, W.C. Yeung arrived to join the meeting at this point.]

23. In response to a Member’s enquiry on whether agricultural use was allowed outside the “AGR” zone, Mr C.K. Soh, DPO/STN, said that while the intention was to confine agricultural practice in the “AGR” zone, genuine agricultural use was always permitted in the “GB” and “CA” zones.

24. The Chairman asked whether the villagers had indicated any preference to building their Small Houses in “V” zone or “AGR” zone. Mr Soh said that the villagers had

once indicated that it was difficult to have more village houses in the "V" zone on the DPA Plan that could meet the requirements of the government departments. The current Small House applications being processed by the Lands Department were at sites outside the "V" zone and mostly fell within the "AGR" and "GB" zones on the proposed OZP. There had also been no application for Small House development in the "V" zone on the DPA Plan since its promulgation. Mr Soh further said that should there be counter proposal for the "V" zone designation submitted by villagers during consultation of the draft OZP, the proposal would be reported to the Board for consideration.

25. A Member said that according to the covering Notes of the draft OZP, replacement of an existing domestic building by a New Territories Exempted House (NTEH) was always permitted in the Area. If so, the existing one-storey or two-storey village houses could be rebuilt into the three-storey NTEH, which would be contradictory to the planning intention of preserving Hakka village character. Mr Soh said that according to the covering Notes of the OZP, such replacement was always permitted except where the Remarks in the Notes of the zone stated otherwise. Remarks (b) in the Notes of the "V" zone stated that replacement/redevelopment of an existing building required planning permission from the Board. The preservation of the Hakka village character could then be safeguarded through the planning application mechanism.

26. After deliberation, the Board agreed that the draft Pak Sha O OZP No. S/NE-PSO/B together with its Notes and ES was suitable for consultation with the TPDC and SKNRC. After consultation, comments from TPDC and SKNRC would be submitted to the Board for consideration prior to publication of the draft OZP under section 5 of the Ordinance.

27. The Chairman thanked Government's representatives for attending the meeting and they left the meeting at this point.

TOWN PLANNING BOARD



TPB PAPER NO. 9965
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

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

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 groups¹ 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.

¹ 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 EIS², 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).

² 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 uses³ 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:

³ 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)					
Pak Sha O	38	49*	38*	190*	5.79 (5.30)	0.32	2.18	0.06 (2 houses)	3%
Pak Sha O Ha Yeung	6	NA	7	NA	4.86 (3.75)	0.18	0.18	0.09 (3 houses)	50%
Total	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 Au⁴ 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.

⁴ 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/streams, 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), *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 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 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:

Land use zoning	Area on approved DPA Plan	Area on the Plan
“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%)
Total	33.27 ha	33.27 ha

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

Hoi Ha Road

PAK SHA O
HA YEUNG

Pak Sha O
Youth Hostel

PAK SHA O

SAI KUNG WEST COUNTRY PARK

NAM SHAN
TUNG

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



SAIKUNG WEST COUNTRY PARK

PAKSHA O
HA YEUNG

PAKSHA O
Youth Hostel

NAM SHAN
TUNG

PAKSHA O

SAIKUNG WEST COUNTRY PARK

LEGEND

 BOUNDARY OF PLANNING SCHEME

 BOUNDARY OF COUNTRY PARK

AERIAL PHOTO

PAK SHA O

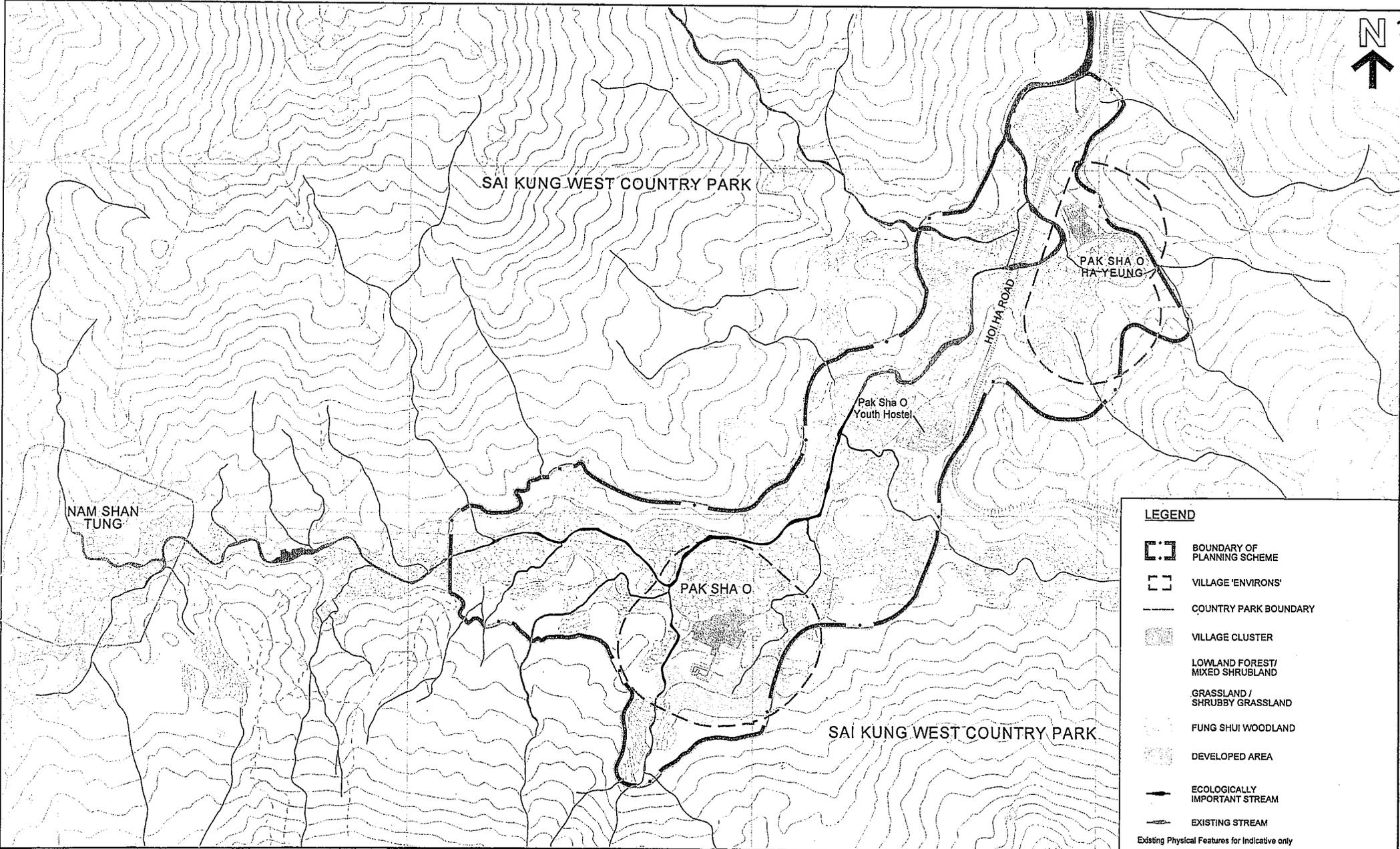
PLANNING DEPARTMENT



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

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

PLAN
2



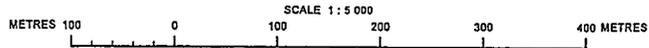
LEGEND

-  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



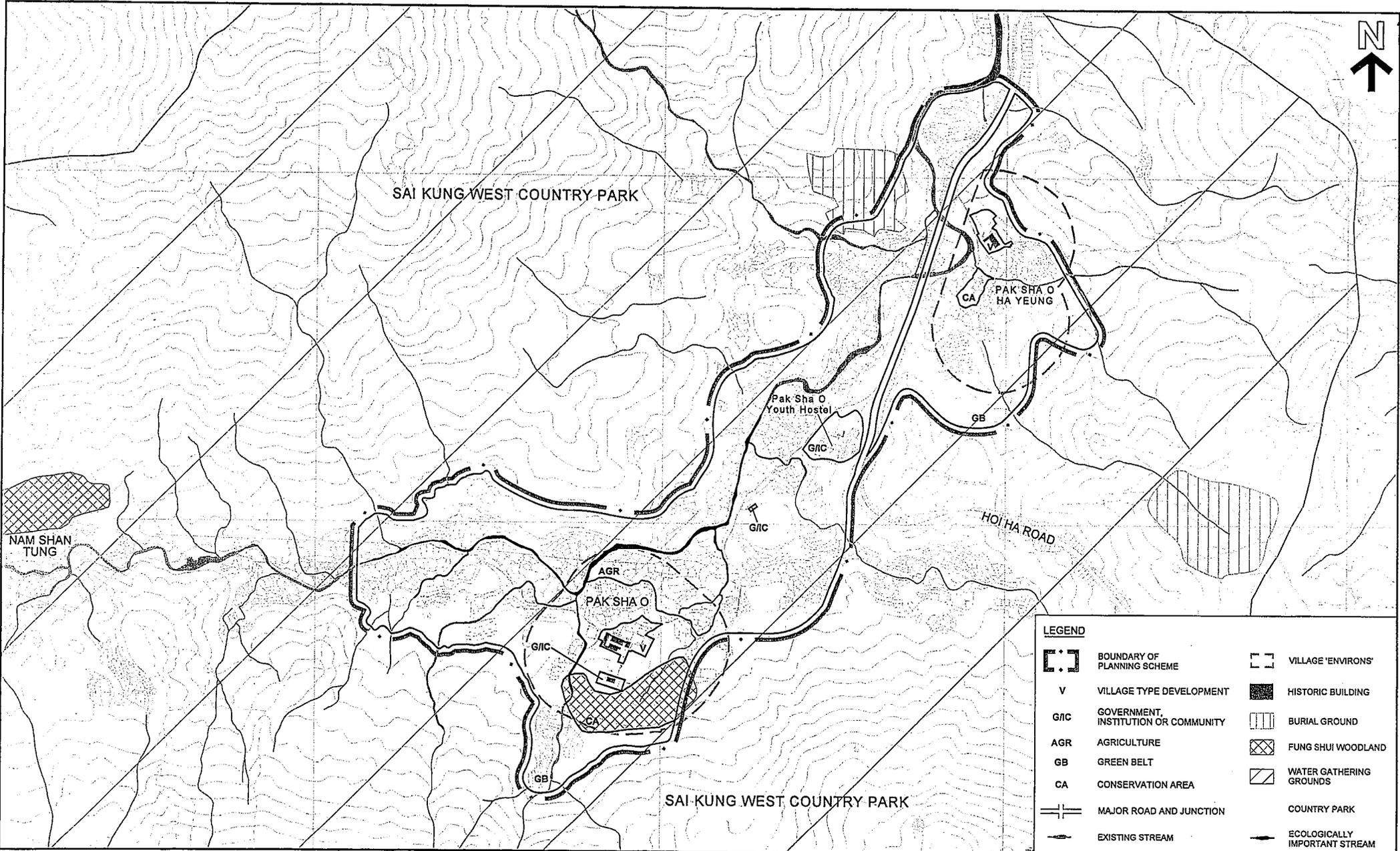
PLANNING DEPARTMENT



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

PLAN
3

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

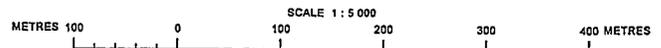


LEGEND

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

DEVELOPMENT CONSTRAINTS AND PROPOSED LAND USES

PAK SHA O



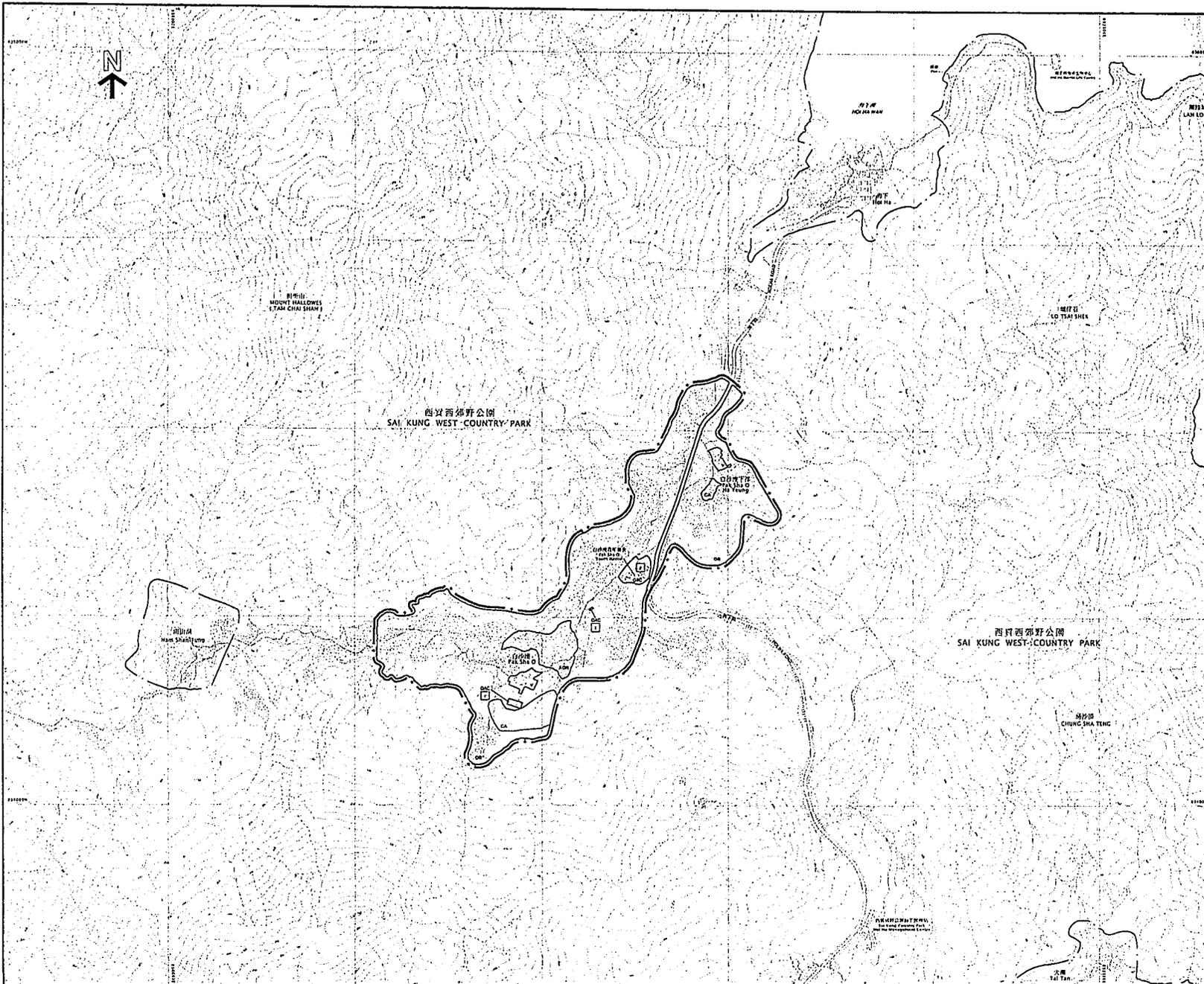
PLAN PREPARED ON 16.7.2015
BASED ON SURVEY SHEETS No. 8-NW-4C/D,
5C/D, 9A/B/C/D AND 10A/B/C/D

PLANNING DEPARTMENT



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

PLAN
4



圖例
NOTATION

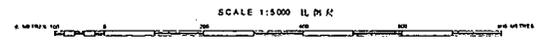
- ZONES** 地帶
- VILLAGE TYPE DEVELOPMENT 鄉村式發展
 - GOVERNMENT, INSTITUTION OR COMMUNITY 政府、機構或社區
 - AGRICULTURE 農業
 - GREEN BELT 綠化地帶
 - CONSERVATION AREA 自然保育區
- COMMUNICATIONS** 交通
- MAJOR ROAD AND JUNCTION 主要道路及路口
- MISCELLANEOUS** 其他
- BOUNDARY OF PLANNING SCHEME 規劃範圍界線
 - BOUNDARY OF COUNTRY PARK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

土地用途及面積一覽表
SCHEDULE OF USES AND AREAS

USES	大約面積及百分比 APPROXIMATE AREA & %		用途
	公頃 HECTARES	百分比 %	
VILLAGE TYPE DEVELOPMENT	0.52	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	28.96	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

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條例指示製圖
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

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

(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

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

(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

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)

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

- Rural Committee/Village Office
- School
- Service Reservoir
- Social Welfare Facility
- Utility Installation for Private Project

Planning Intention

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

Remarks

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

CONSERVATION AREA

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

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* (鑷色羊耳蒜), 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* (三線擬鱔).
- 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* (烏桕), *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.

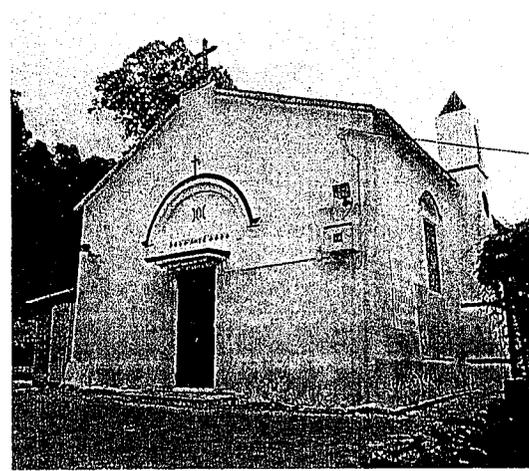
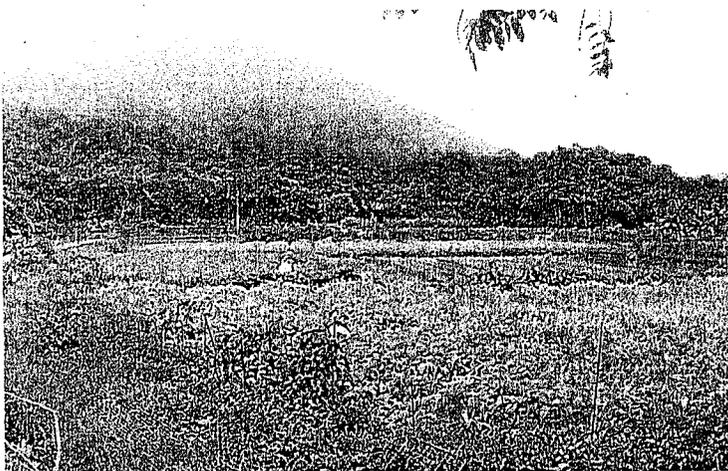
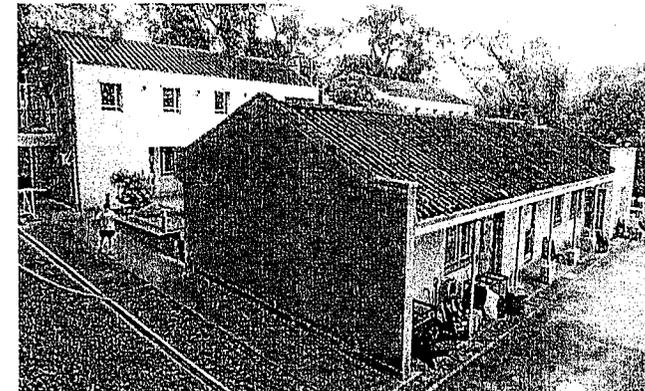
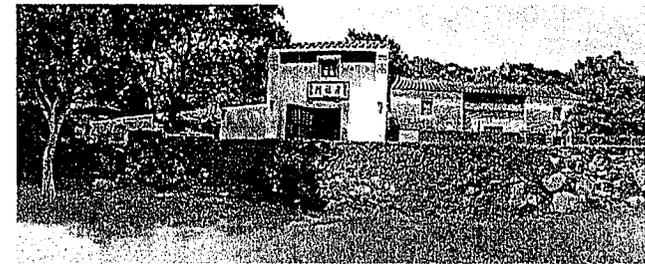
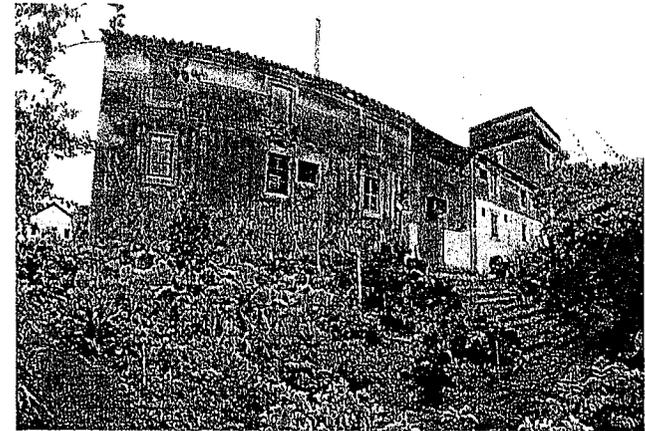
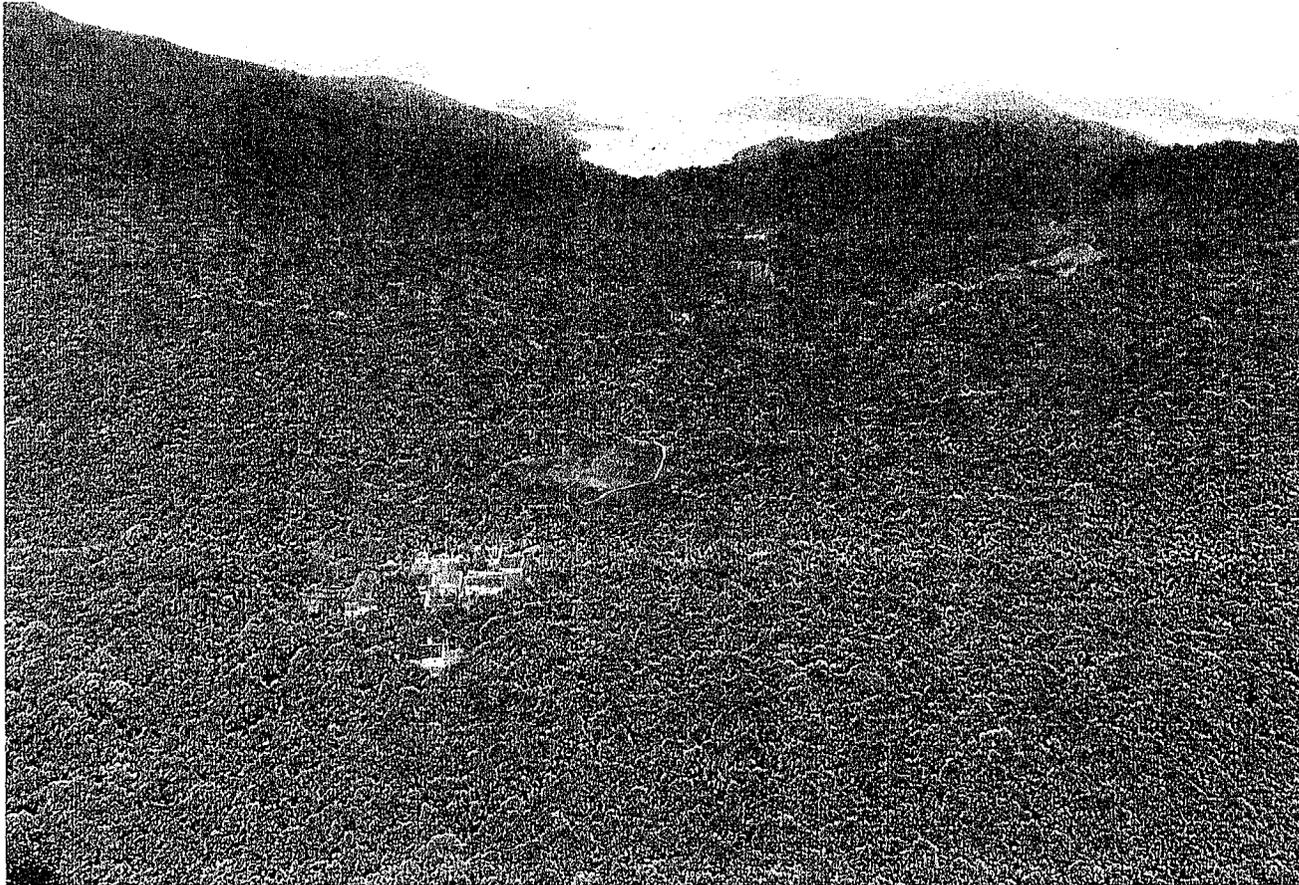
13.2 At present there is no overall programme for the provision of infrastructure within the Area. The implementation process will be gradual and may stretch over a long period of time depending on the availability of resources. It will be undertaken through the participation of both the public and private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



SHA TIN, TAI PO & NORTH
DISTRICT PLANNING OFFICE
PLANNING DEPARTMENT
JULY 2015



**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 detected¹. 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 received². 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.

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

² 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 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 figure³ 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.

³ 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 uses⁴ 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

⁴ 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 Au⁵ 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.

⁵ 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.

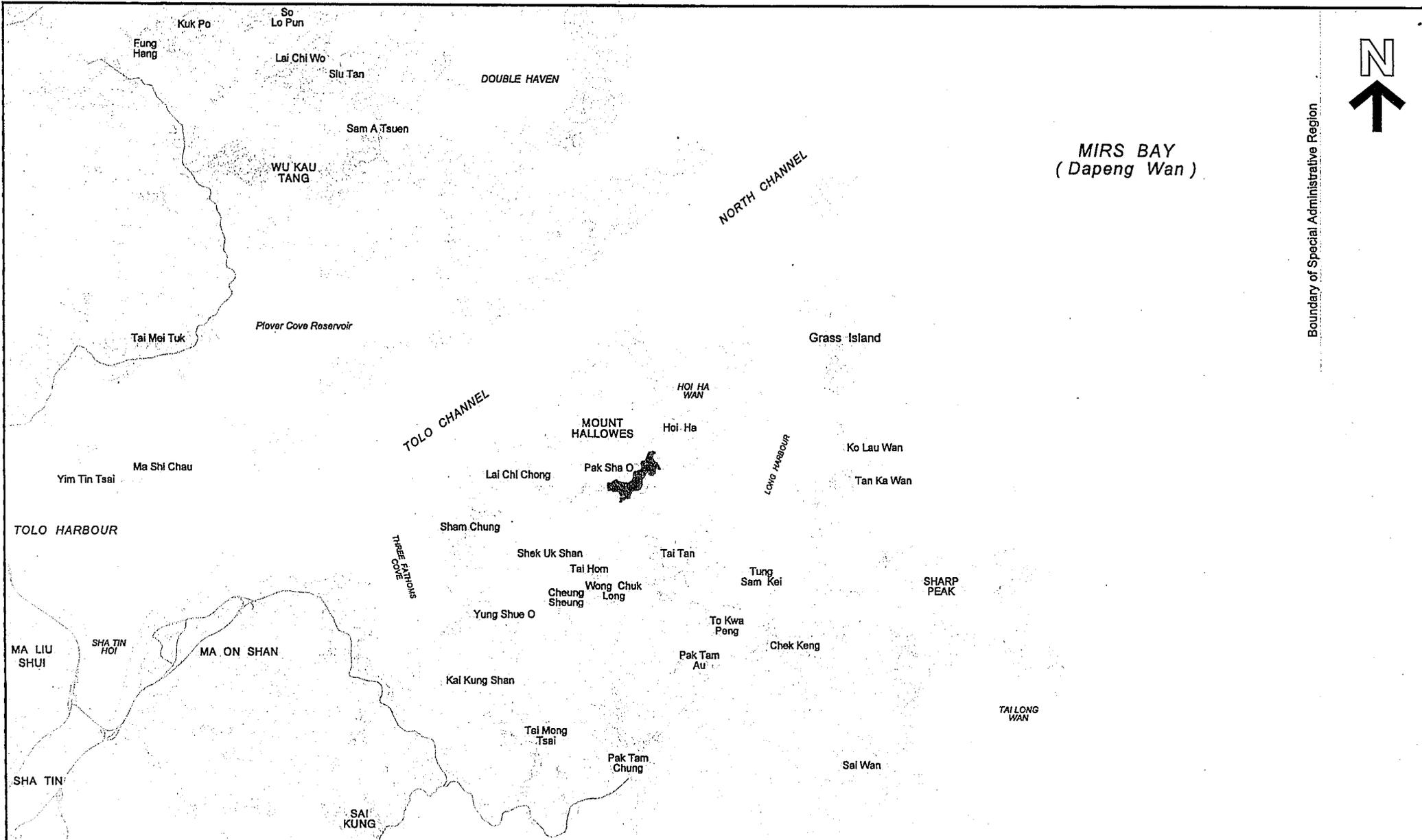
- 5.2.2 At present, there is no overall programme for the provision of infrastructure within the Area. The implementation process will be gradual and may stretch over a long period of time depending on the availability of resources. It will be undertaken through the participation of both public and private 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 the 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)					
Pak Sha O	38	49*	38*	190*	5.79 (5.30)	0.32	2.18	0.06 (2 houses)	3%
Pak Sha O Ha Yeung	6	NA	7	NA	4.86 (3.75)	0.18	0.18	0.09 (3 houses)	50%
Total	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.



Boundary of Special Administrative Region



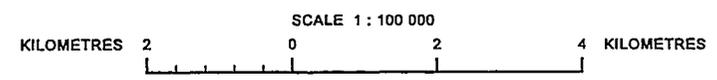
MIRS BAY
(Dapeng Wan)

LOCATION PLAN

PAK SHA O

STUDY AREA

PLAN PREPARED ON 18.5.2015
BASED ON SHEET SERIES HM100C



PLANNING
DEPARTMENT



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

FIGURE
1



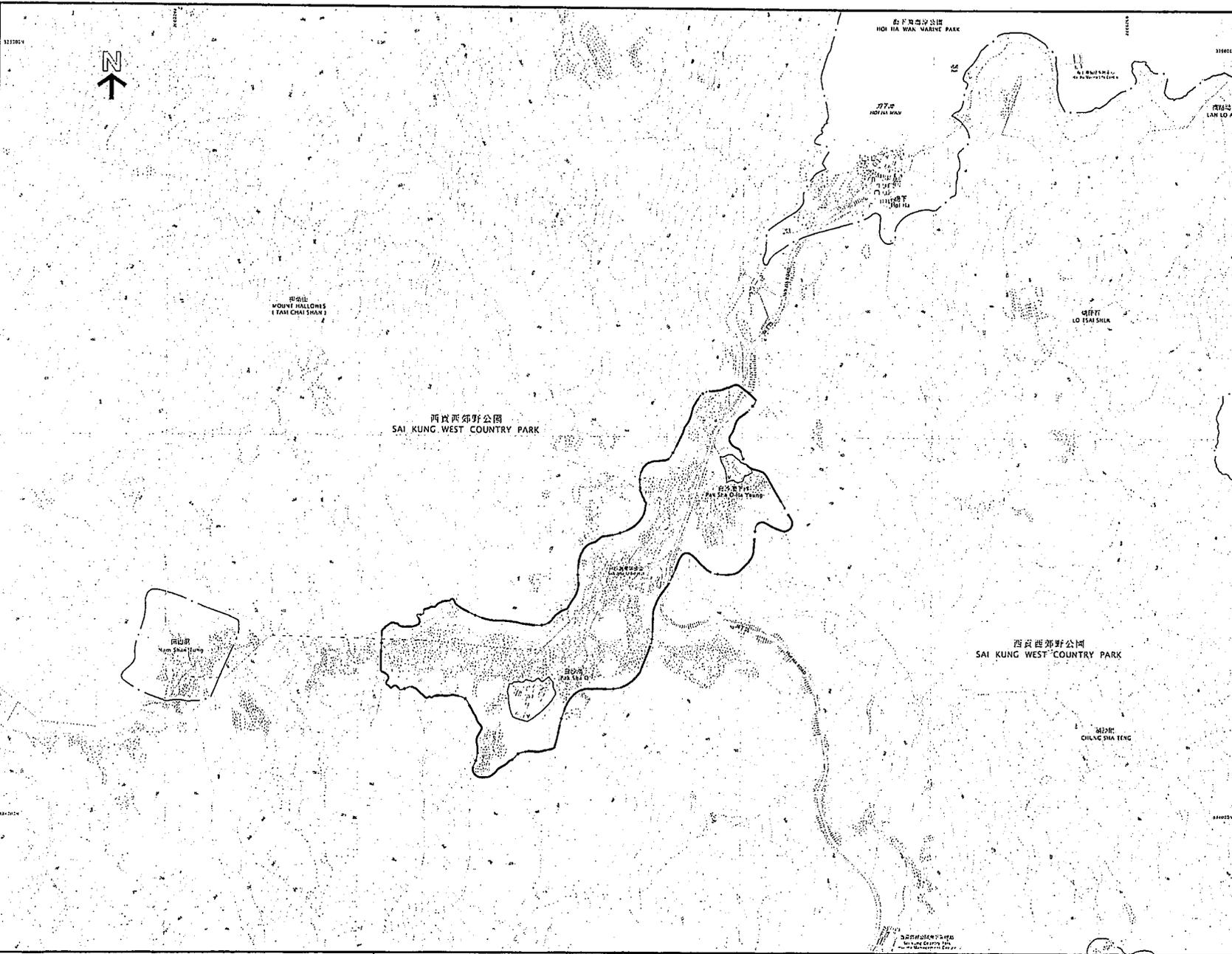
圖例
NOTATION

ZONES		地帶
VILLAGE TYPE DEVELOPMENT		鄉村式發展
MISCELLANEOUS		其他
BOUNDARY OF DEVELOPMENT PERMISSION AREA		發展區地帶界線
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	本劃定區地帶發展區面積		用途
	公頃 HECTARES	平方米 SQ. METRES	
VILLAGE TYPE DEVELOPMENT	1.36	4.15	鄉村式發展
UNSPECIFIED USE	37.88	83.53	未指定用途
TOTAL AREA OF DEVELOPMENT PERMISSION AREA	39.24	100.00	發展區地帶的總面積

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

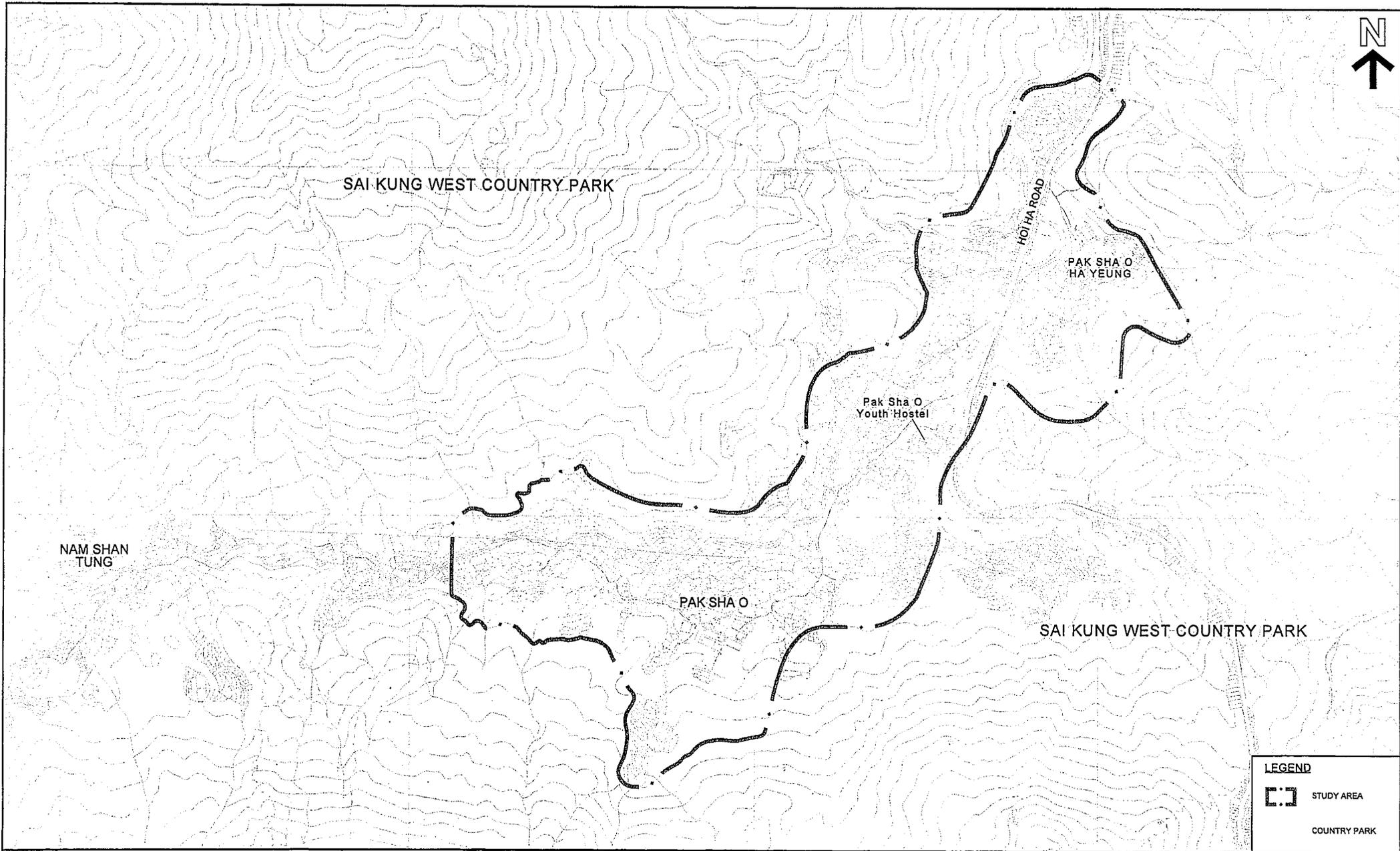


EXTRACT PLAN PREPARED ON 4.5.2015
BASED ON DEVELOPMENT PERMISSION AREA
PLAN No. DPA/NE-PSO/2 APPROVED ON 7.1.2014



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

FIGURE
2



LEGEND

 STUDY AREA

 COUNTRY PARK

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

STUDY AREA

PAK SHA O

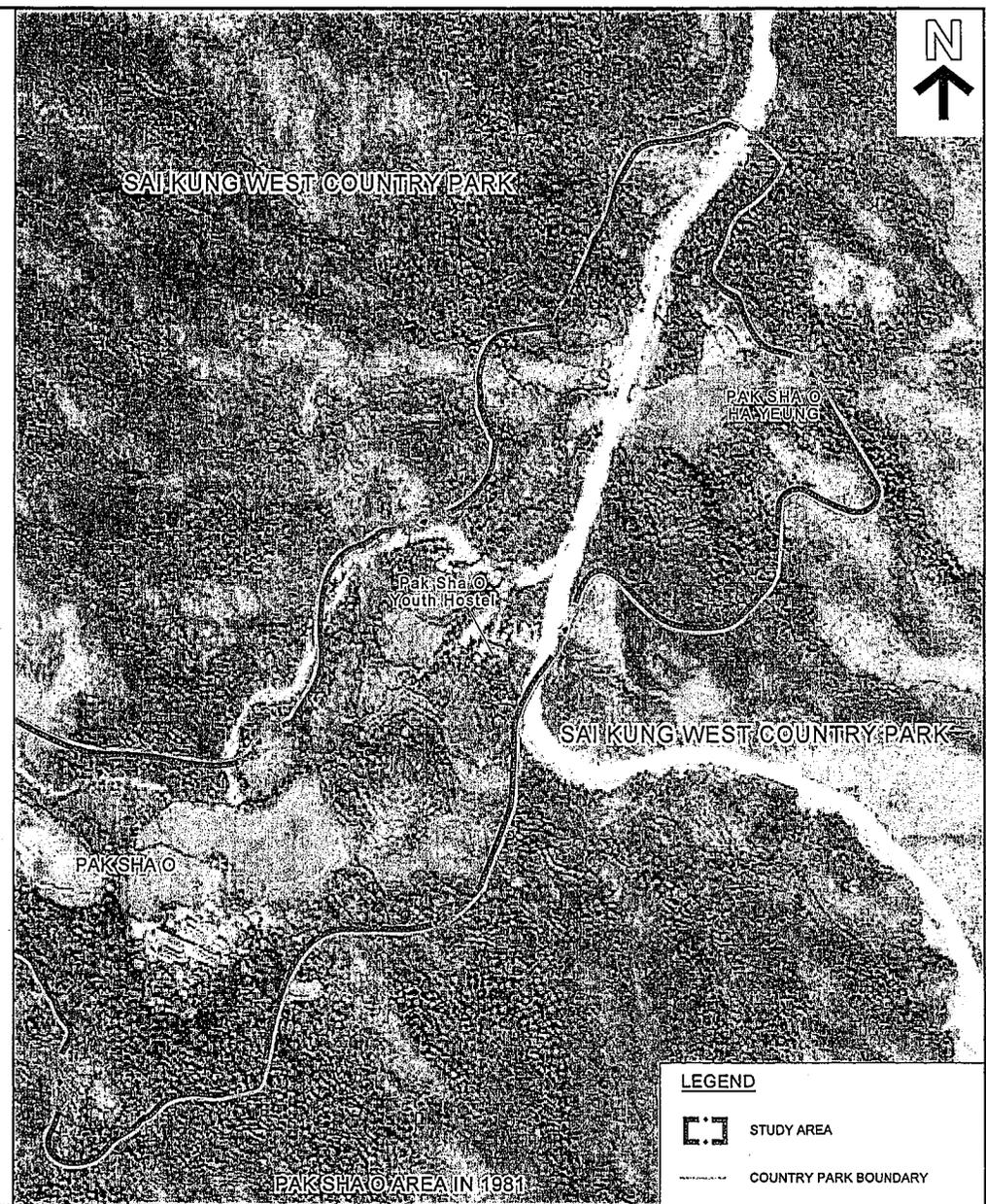
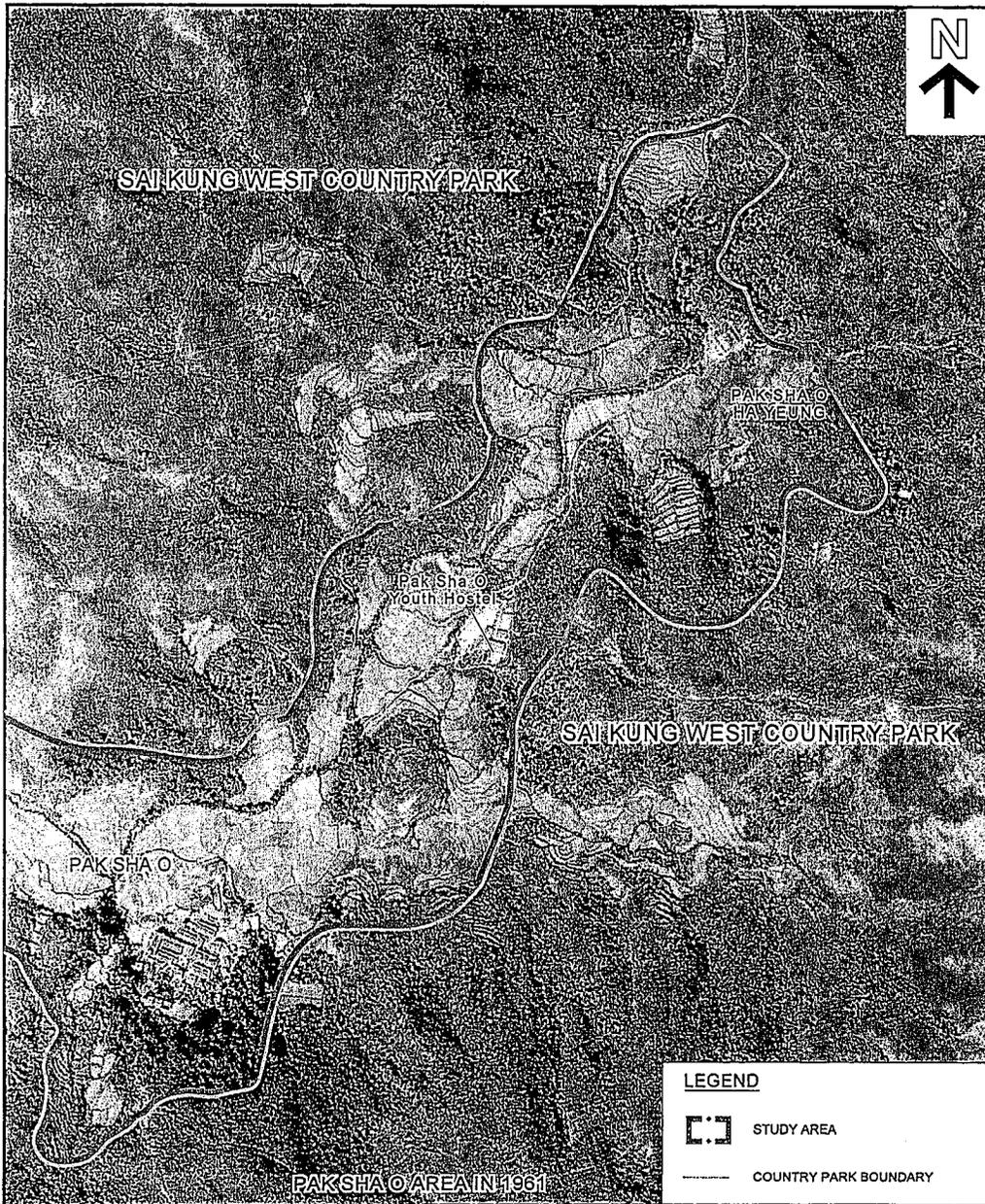
SCALE 1 : 5 000

METRES 100 0 100 200 300 400 METRES

PLANNING DEPARTMENT 

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

FIGURE 3



LEGEND
 STUDY AREA
 COUNTRY PARK BOUNDARY

LEGEND
 STUDY AREA
 COUNTRY PARK BOUNDARY

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

PAK SHA O
HA YEUNG

Pak Sha O
Youth Hostel

NAM SHAN
TUNG

PAK SHA O

SAI KUNG WEST COUNTRY PARK

LEGEND



STUDY AREA



COUNTRY PARK
BOUNDARY

AERIAL PHOTO

PAK SHA O

PLANNING DEPARTMENT



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

FIGURE
4b



SAIKUNG WEST COUNTRY PARK

PAK SHA O
HAYUEUNG

Pak Sha O
Youth Hostel

NAM SHAN
TUNG

PAK SHA O

SAIKUNG WEST COUNTRY PARK

LEGEND

 STUDY AREA

 COUNTRY PARK BOUNDARY

AERIAL PHOTO

PAK SHA O

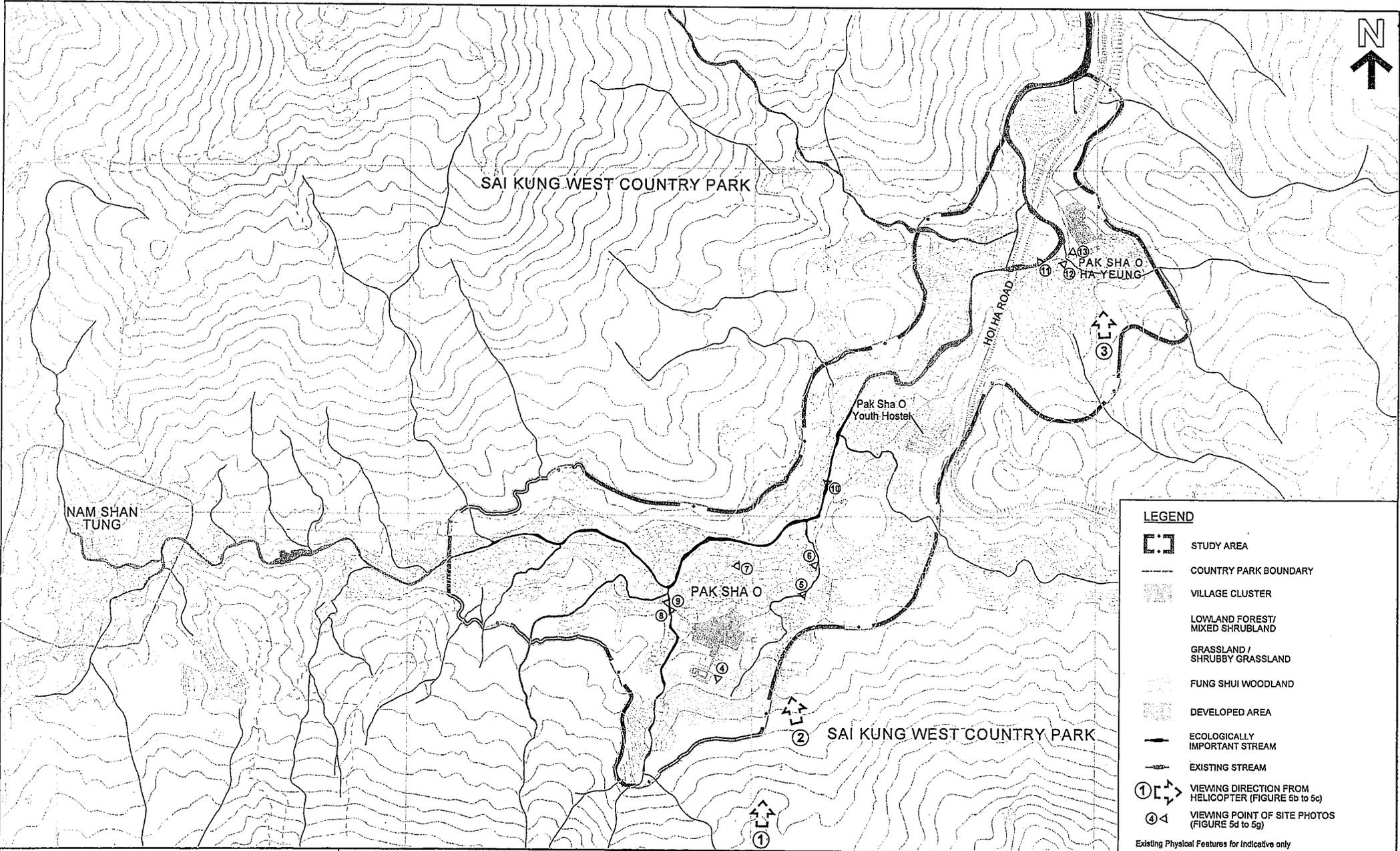
PLANNING DEPARTMENT



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



LEGEND

-  STUDY AREA
-  COUNTRY PARK BOUNDARY
-  VILLAGE CLUSTER
-  LOWLAND FOREST/ MIXED SHRUBLAND
-  GRASSLAND / SHRUBBY GRASSLAND
-  FUNG SHUI WOODLAND
-  DEVELOPED AREA
-  ECOLOGICALLY IMPORTANT STREAM
-  EXISTING STREAM
-  ①  VIEWING DIRECTION FROM HELICOPTER (FIGURE 5b to 5c)
-  ④  VIEWING POINT OF SITE PHOTOS (FIGURE 5d to 5g)

Existing Physical Features for indicative only

EXISTING PHYSICAL FEATURES

PAK SHA O

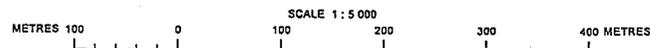
PLANNING DEPARTMENT



REFERENCE No.
MICPE/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



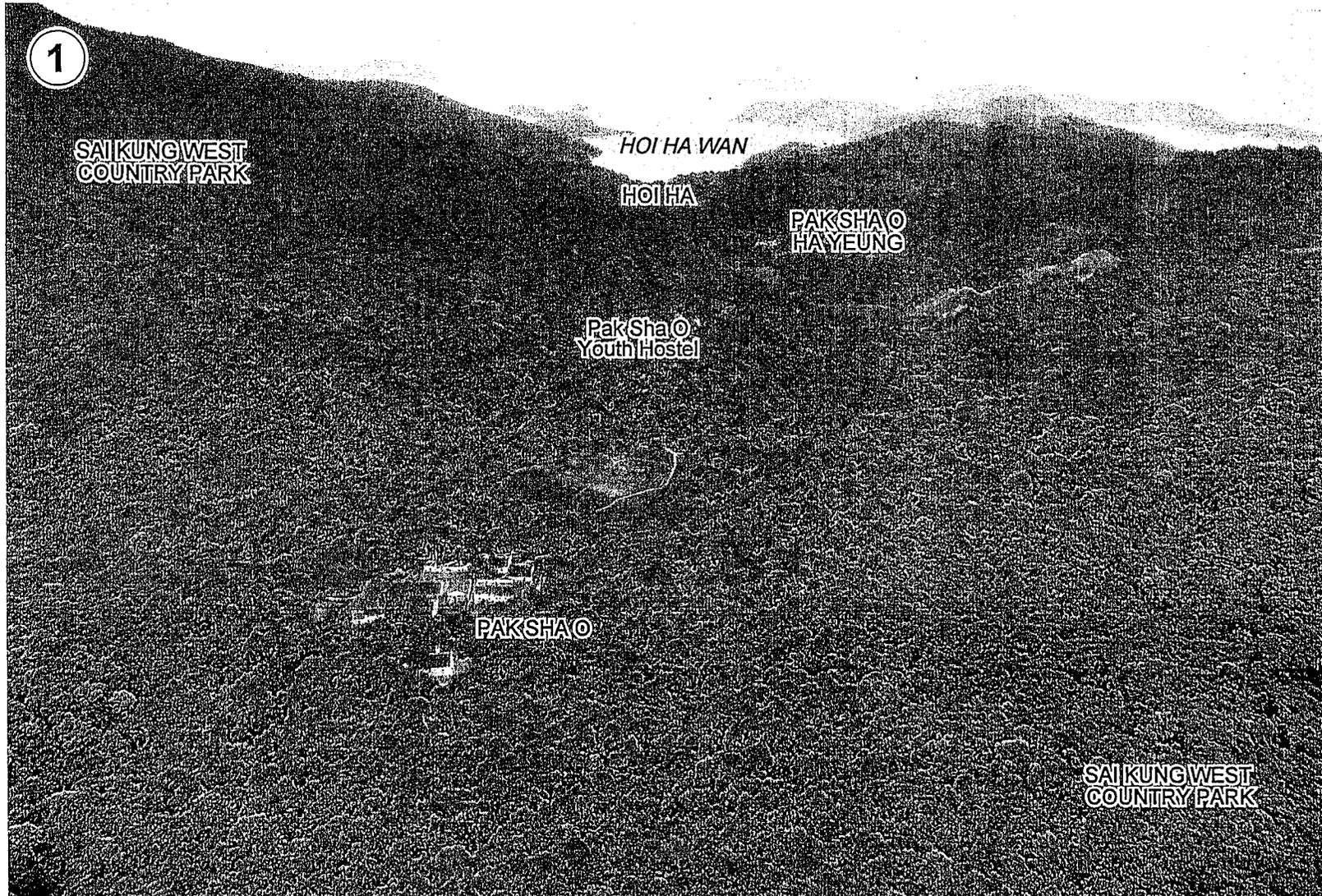


PHOTO 1 TAKEN FROM HELICOPTER

SITE PHOTO - EXISTING PHYSICAL FEATURES

PAK SHA O

PLAN PREPARED ON 12.5.2015
 BASED ON SITE PHOTO TAKEN ON
 18.2.2013

PLANNING
 DEPARTMENT



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

FIGURE
 5b

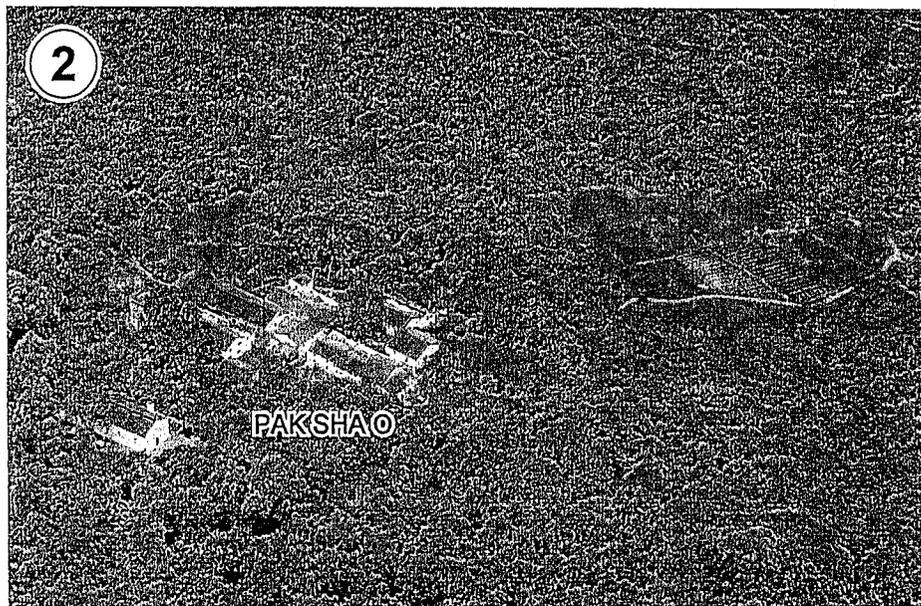


PHOTO 2 & 3 TAKEN FROM HELICOPTER

SITE PHOTOS - EXISTING PHYSICAL FEATURES

PAK SHA O

PLANNING
DEPARTMENT



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

FIGURE
5c

PLAN PREPARED ON 30.6.2015
BASED ON SITE PHOTOS TAKEN ON
18.2.2013



FUNG SHUI WOODLAND BEHIND IMMACULATE HEART OF MARY CHAPEL

SITE PHOTO - EXISTING PHYSICAL FEATURES

PAK SHA O

PLANNING
DEPARTMENT



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

FIGURE
5d

PLAN PREPARED ON 30.6.2015
BASED ON SITE PHOTO TAKEN ON
6.5.2015



ACTIVE AGRICULTURAL LAND AT PAK SHA O

SITE PHOTOS - EXISTING PHYSICAL FEATURES

PAK SHA O

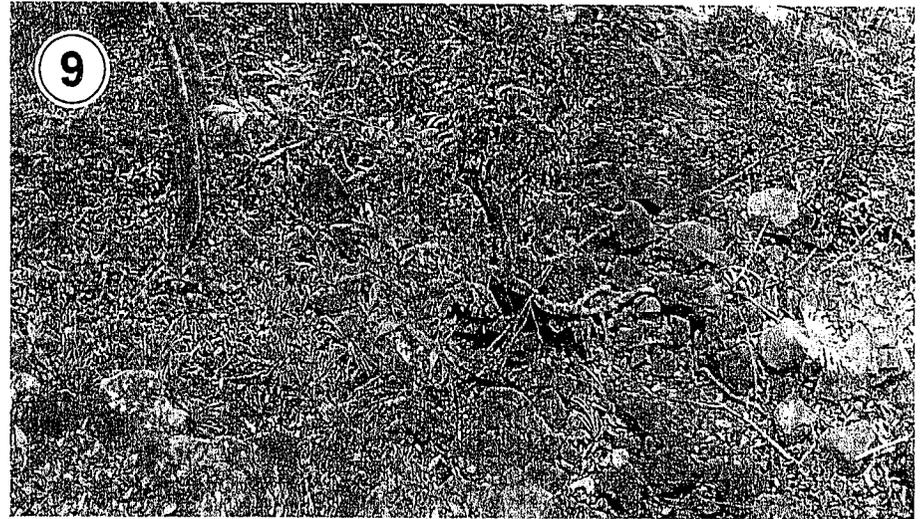
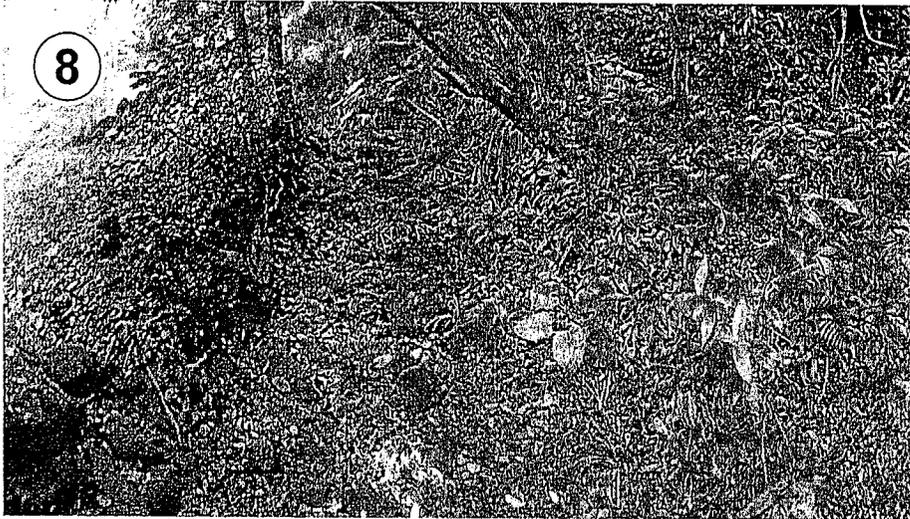
PLANNING
DEPARTMENT



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

FIGURE
5e

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



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

SITE PHOTOS - EXISTING PHYSICAL FEATURES

PAK SHA O

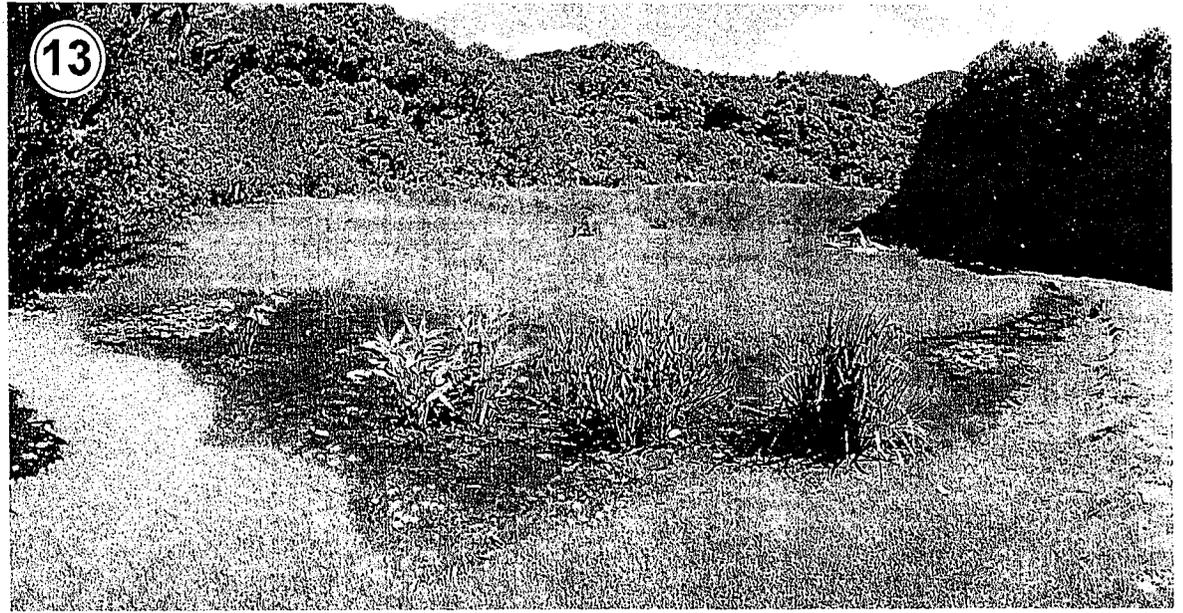
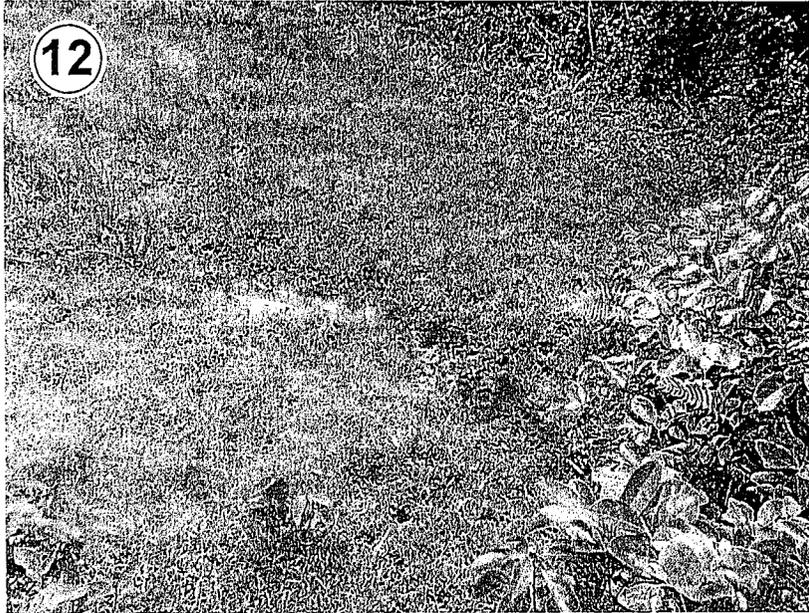
PLAN PREPARED ON 14.5.2015
BASED ON SITE PHOTOS TAKEN ON
22.4.2015 AND 6.5.2015

PLANNING
DEPARTMENT



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

FIGURE
5f



FRESHWATER MARSHES AND POND NEARBY AT PAK SHA O HA YEUNG

PLAN PREPARED ON 30.6.2015
BASED ON SITE PHOTOS TAKEN ON
22.4.2015

SITE PHOTOS - EXISTING PHYSICAL FEATURES

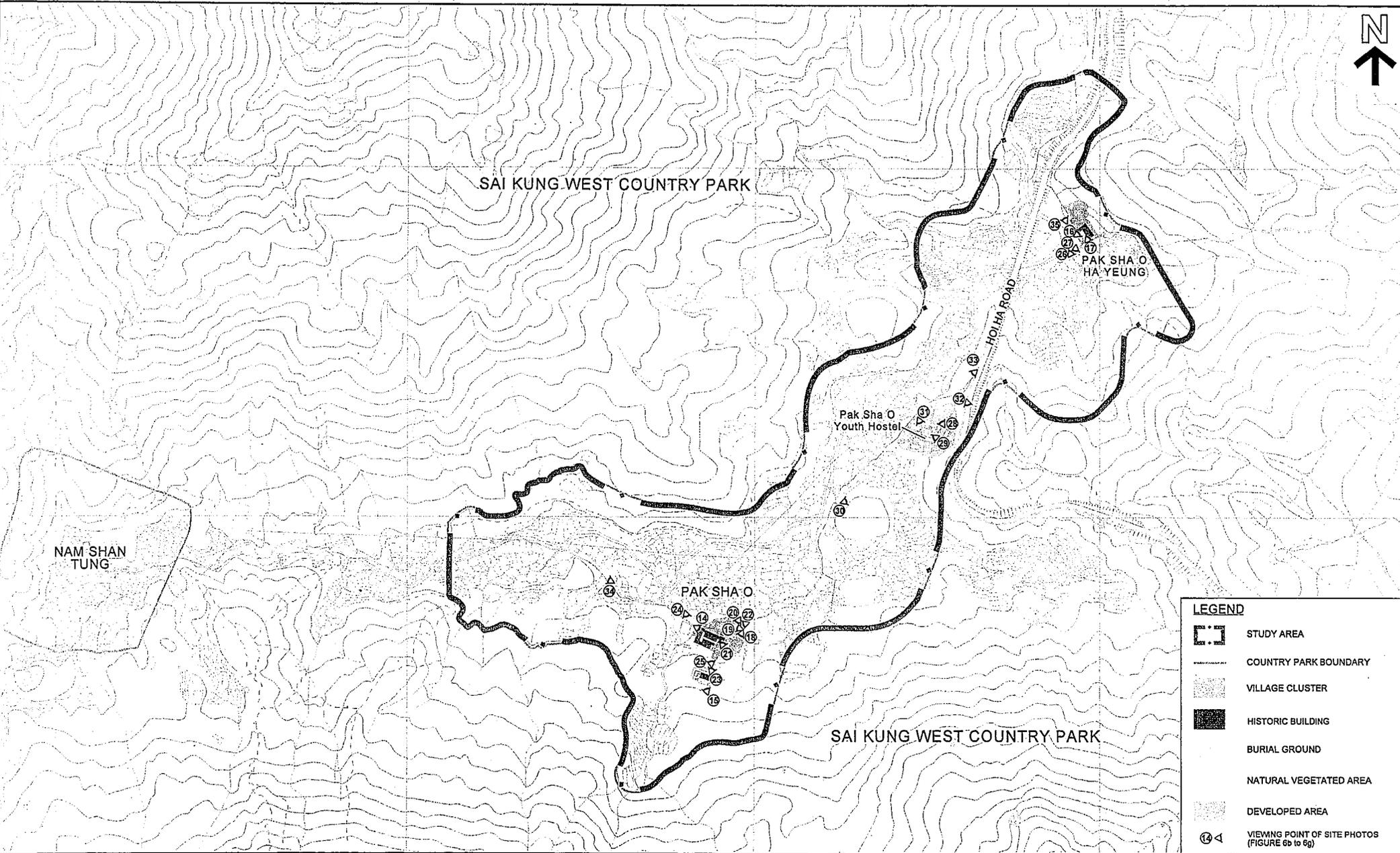
PAK SHA O

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)

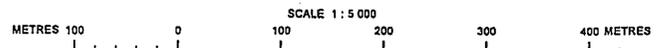
EXISTING LAND USES

PAK SHA O

PLANNING DEPARTMENT



PLAN PREPARED ON 14.7.2015
BASED ON SURVEY SHEETS No.
8-NW4C/D, 5C/D, 9A/B/C/D & 10A/B/C/D



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

FIGURE
6a



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

SITE PHOTO - EXISTING LAND USES

PAK SHA O

PLANNING
DEPARTMENT



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

FIGURE
6b

PLAN PREPARED ON 30.6.2015
BASED ON SITE PHOTO TAKEN ON
6.5.2015



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

SITE PHOTO - EXISTING LAND USES

PAK SHA O

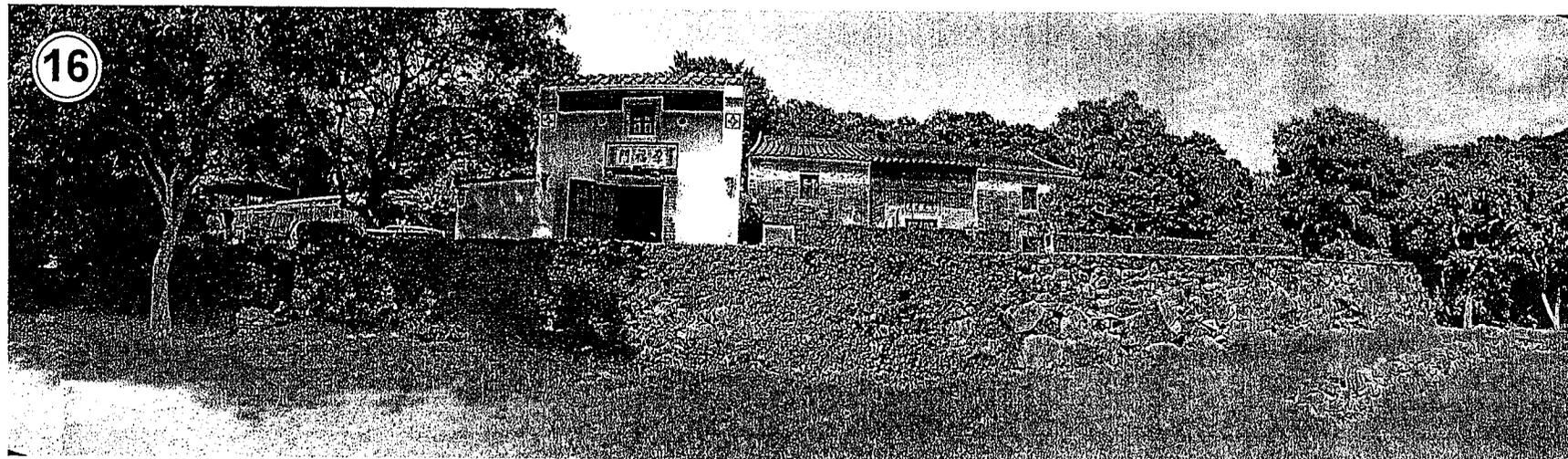
PLANNING
DEPARTMENT



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

FIGURE
6c

PLAN PREPARED ON 30.6.2015
BASED ON SITE PHOTO TAKEN ON
8.10.2012



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

SITE PHOTOS - EXISTING LAND USES

PAK SHA O

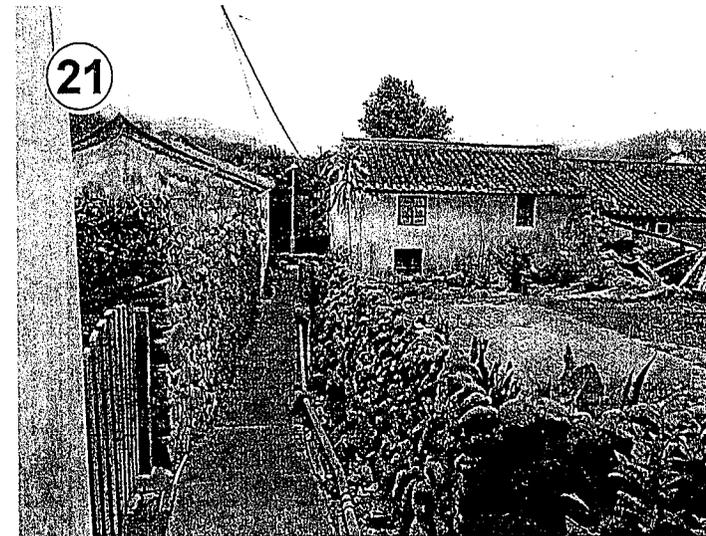
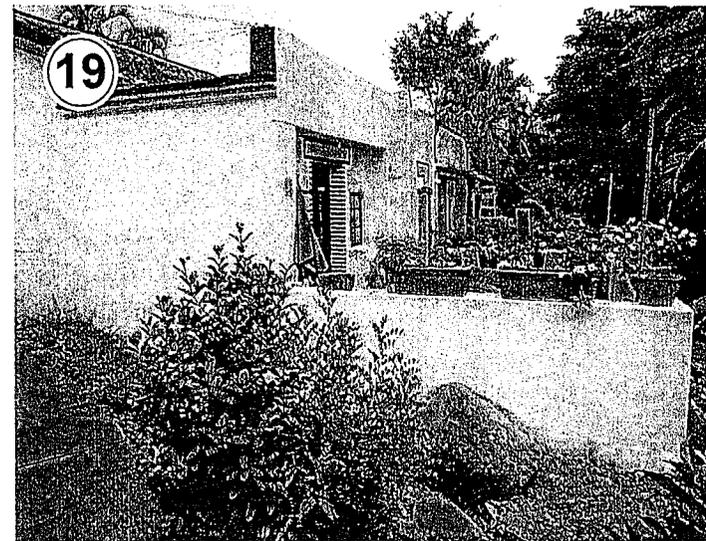
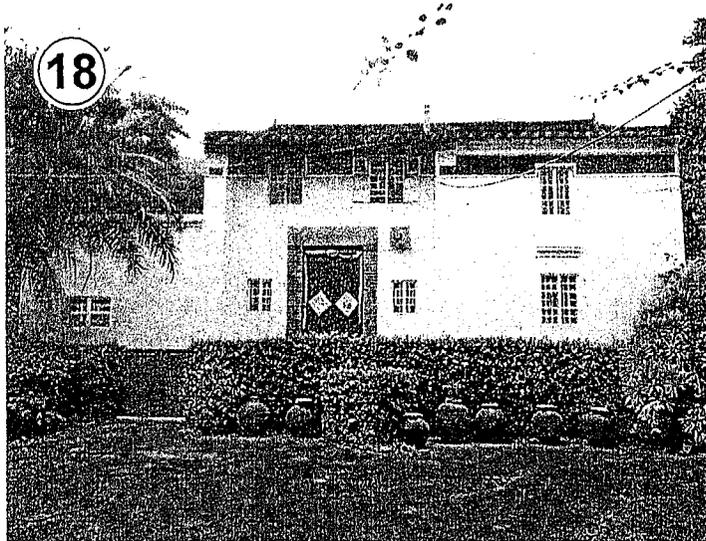
PLANNING
DEPARTMENT



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

FIGURE
6d

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



VILLAGE HOUSES AT PAK SHA O

SITE PHOTOS - EXISTING LAND USES

PAK SHA O

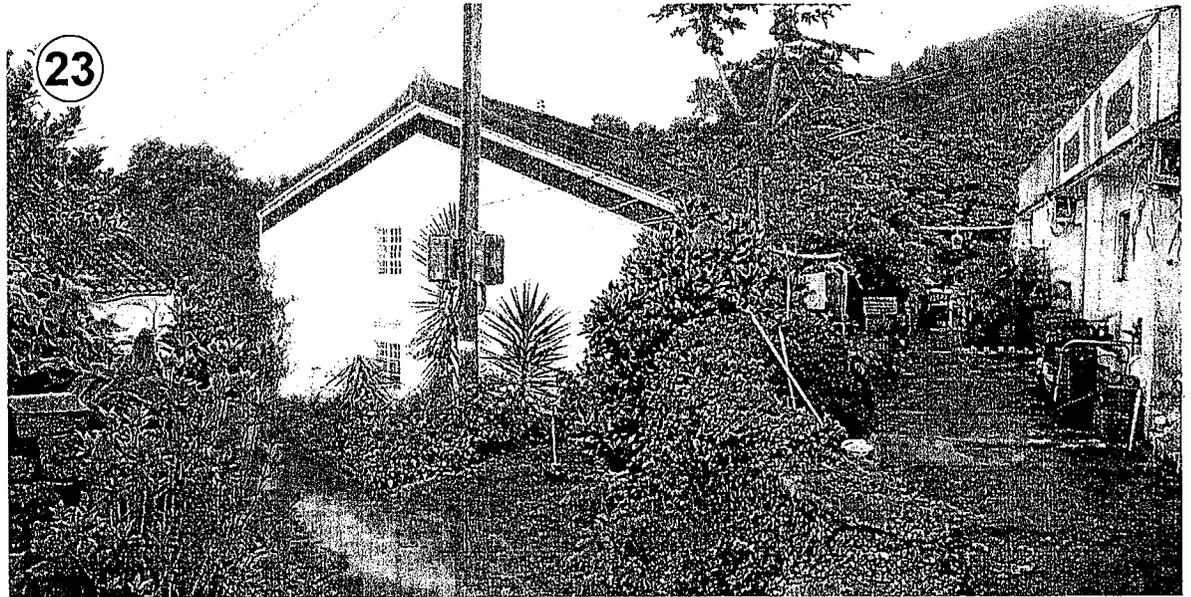
PLAN PREPARED ON 18.5.2015
 BASED ON SITE PHOTOS TAKEN ON
 7.12.2012, 29.10.2012 AND 22.4.2015

PLANNING
 DEPARTMENT



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

FIGURE
 6e(i)



VILLAGE HOUSES AT PAK SHA O

SITE PHOTOS - EXISTING LAND USES

PAK SHA O

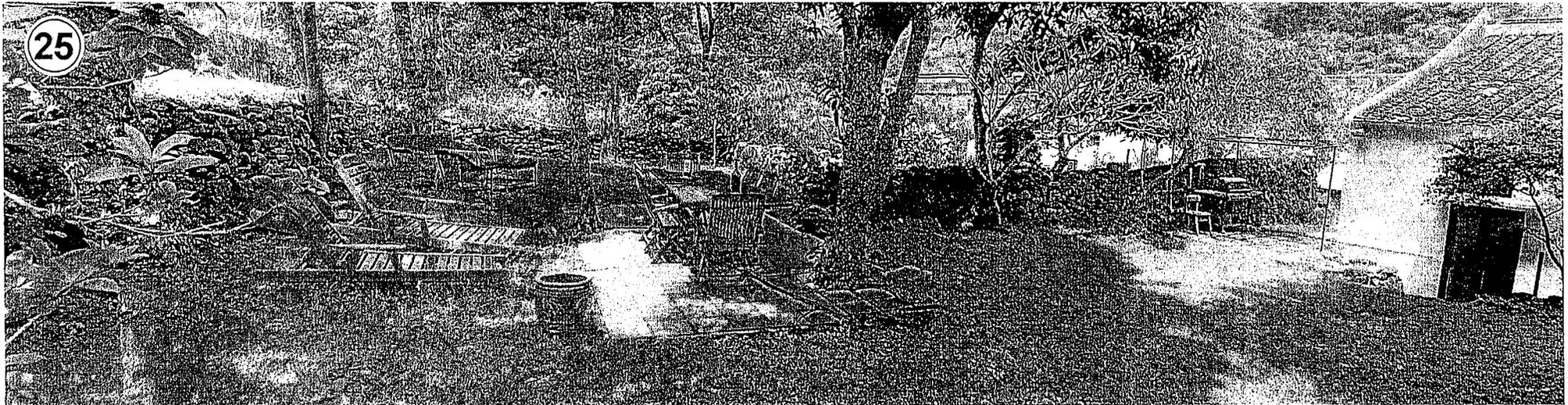
PLANNING
DEPARTMENT



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

FIGURE
6e(ii)

PLAN PREPARED ON 18.5.2015
BASED ON SITE PHOTOS TAKEN ON
6.5.2015



VILLAGE HOUSES AND SURROUNDING LANDSCAPE GARDEN AT PAK SHA O

SITE PHOTOS - EXISTING LAND USES

PAK SHA O

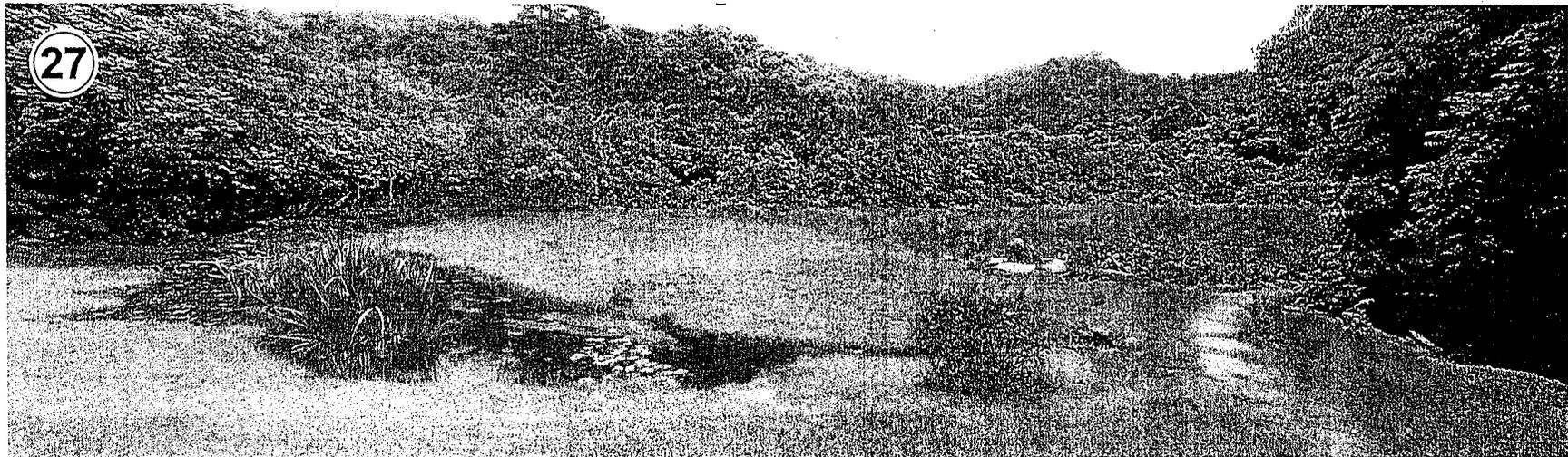
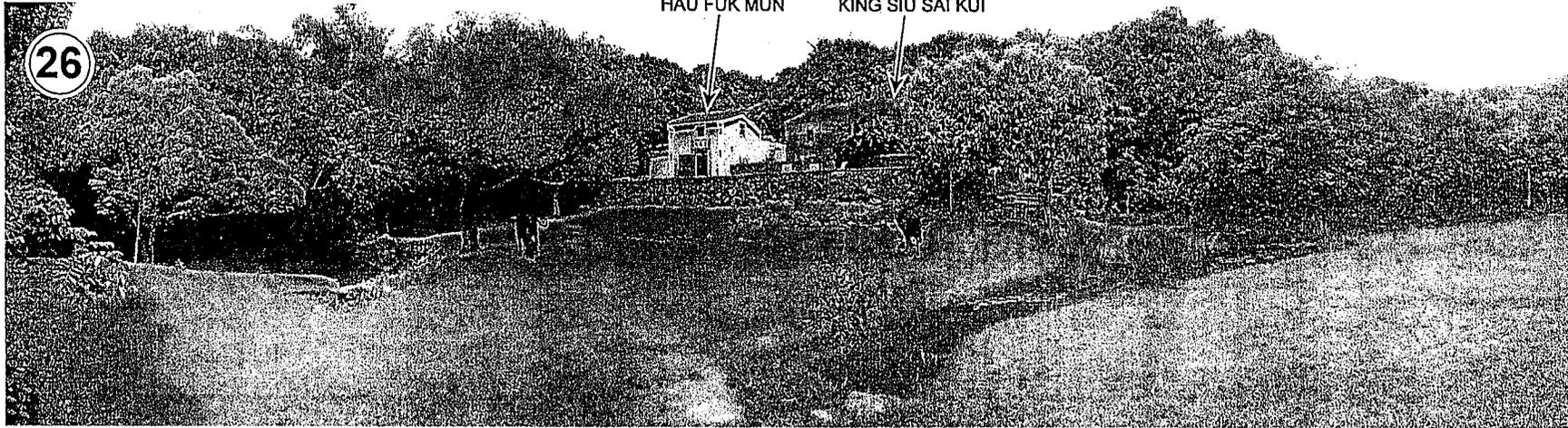
PLAN PREPARED ON 30.6.2015
 BASED ON SITE PHOTOS TAKEN ON
 22.4.2015 AND 6.5.2015

PLANNING
 DEPARTMENT



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

FIGURE
 6e(iii)



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

SITE PHOTOS - EXISTING LAND USES

PAK SHA O

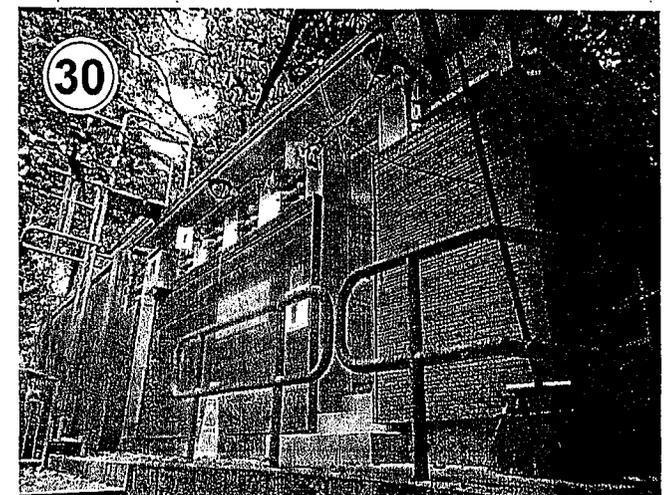
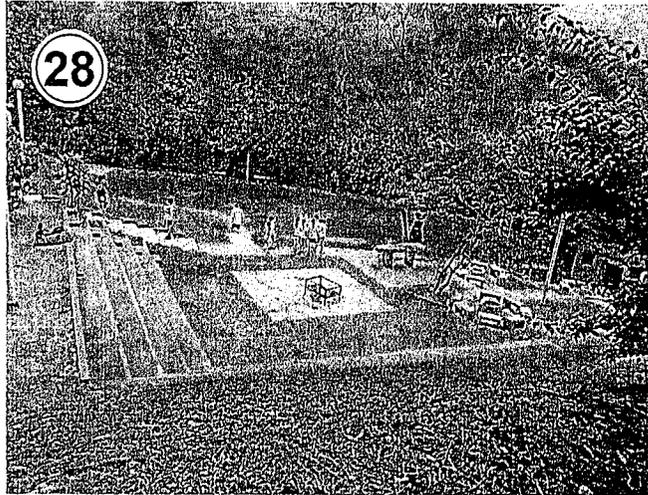
PLANNING
DEPARTMENT



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

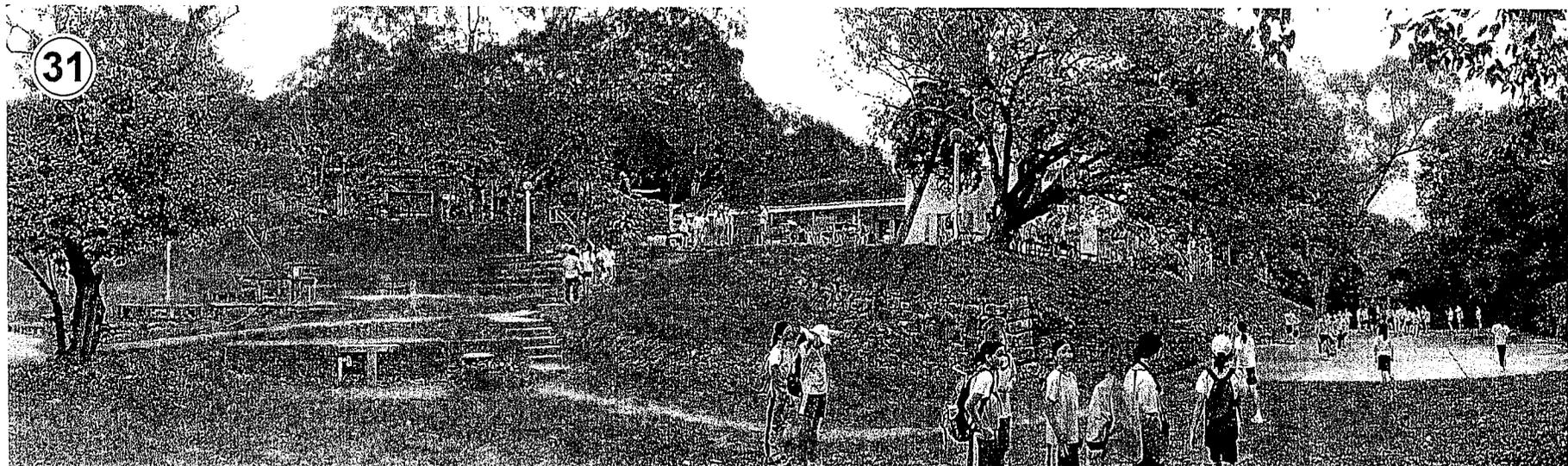
FIGURE
6e(iv)

PLAN PREPARED ON 30.6.2015
BASED ON SITE PHOTOS TAKEN ON
22.4.2015



Pak Sha O Youth Hostel

Toilet



"GOVERNMENT , INSTITUTION OR COMMUNITY" FACILITIES

SITE PHOTOS - EXISTING LAND USES

PAK SHA O

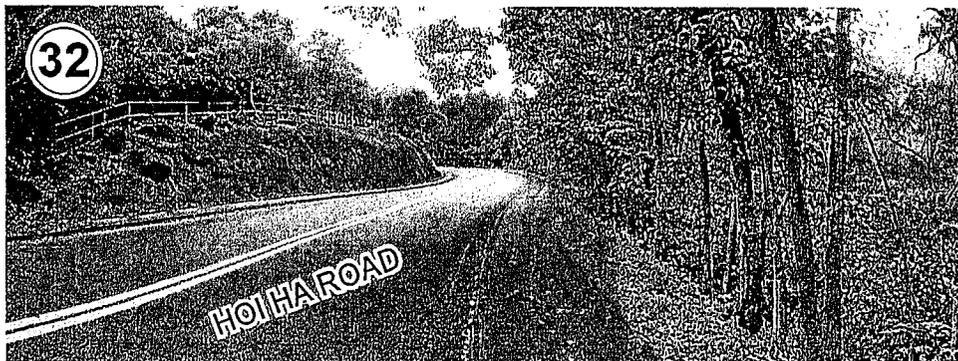
PLAN PREPARED ON 18.5.2015
 BASED ON SITE PHOTOS TAKEN ON
 29.10.2012 AND 22.4.2015

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

SITE PHOTOS - EXISTING LAND USES

PAK SHA O

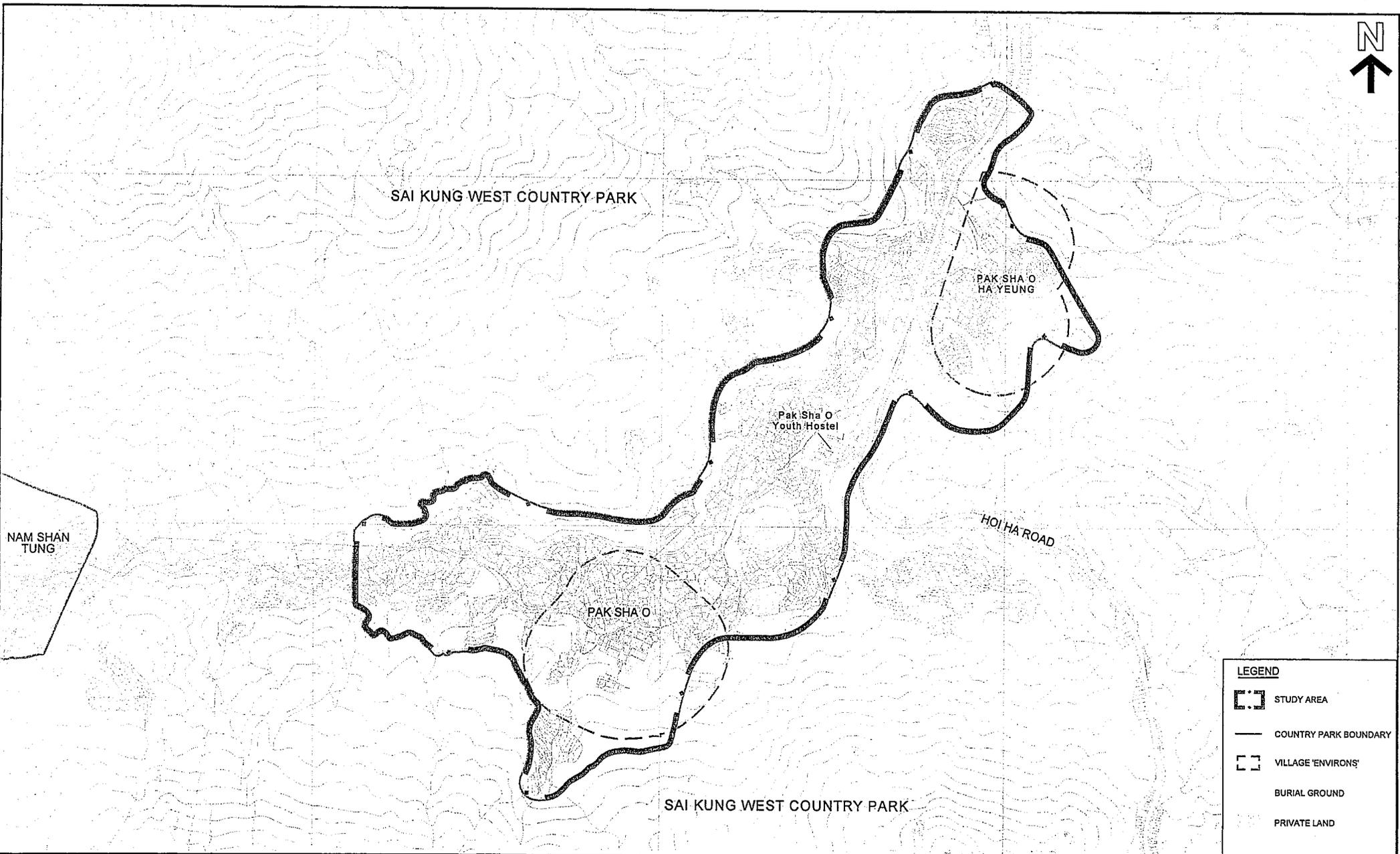
PLANNING
DEPARTMENT



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

FIGURE
6g

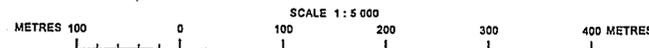
PLAN PREPARED ON 30.6.2015
BASED ON SITE PHOTOS TAKEN ON
13.5.2013, 22.4.2015 AND 6.5.2015



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

LAND OWNERSHIP AND VILLAGE 'ENVIRONS'

PAK SHA O

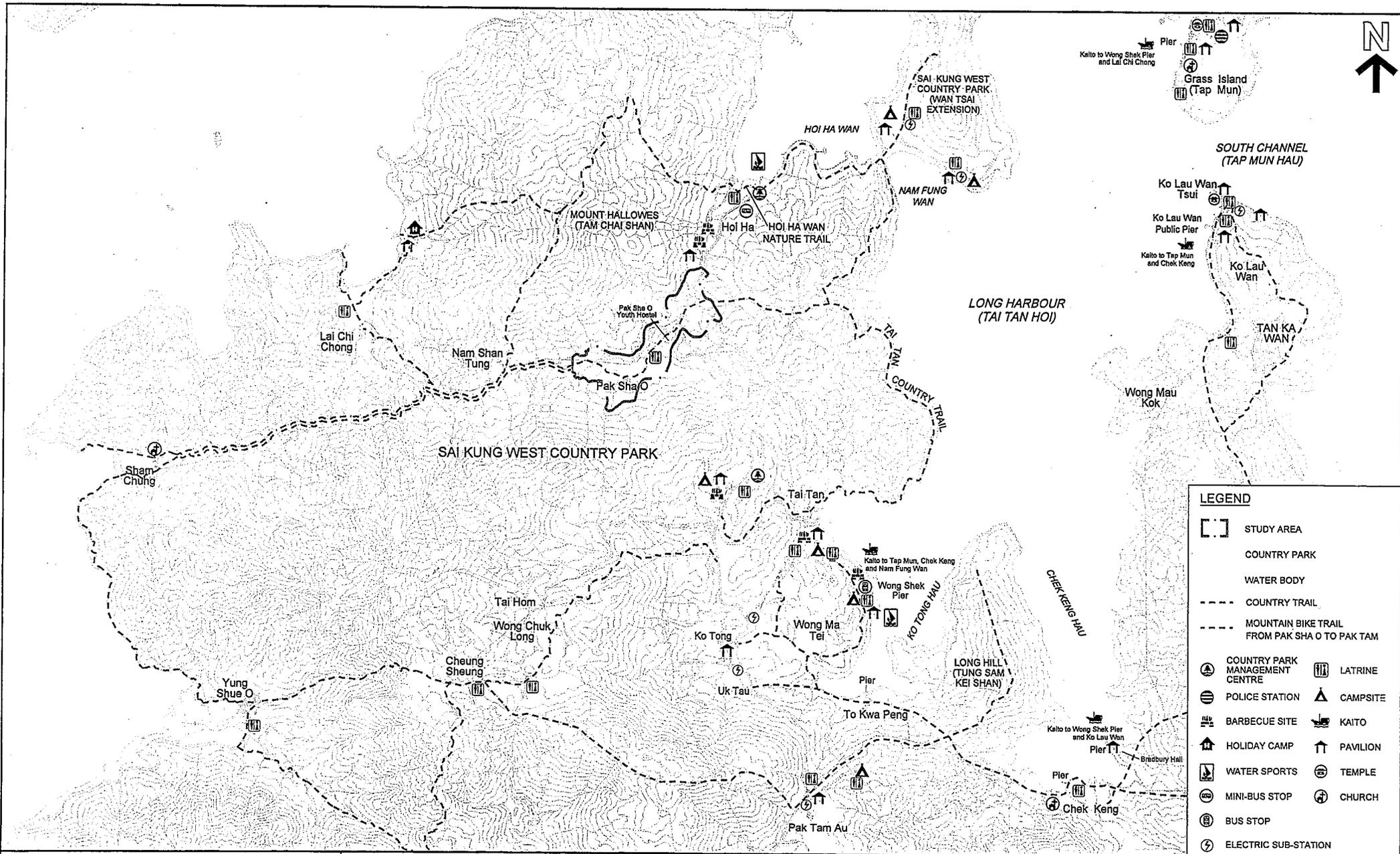


PLANNING DEPARTMENT

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

FIGURE
7

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



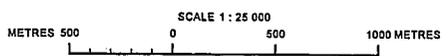
**EXISTING GIC, INFRASTRUCTURAL
AND TOURISM-RELATED FACILITIES**

PAK SHA O

PLANNING DEPARTMENT

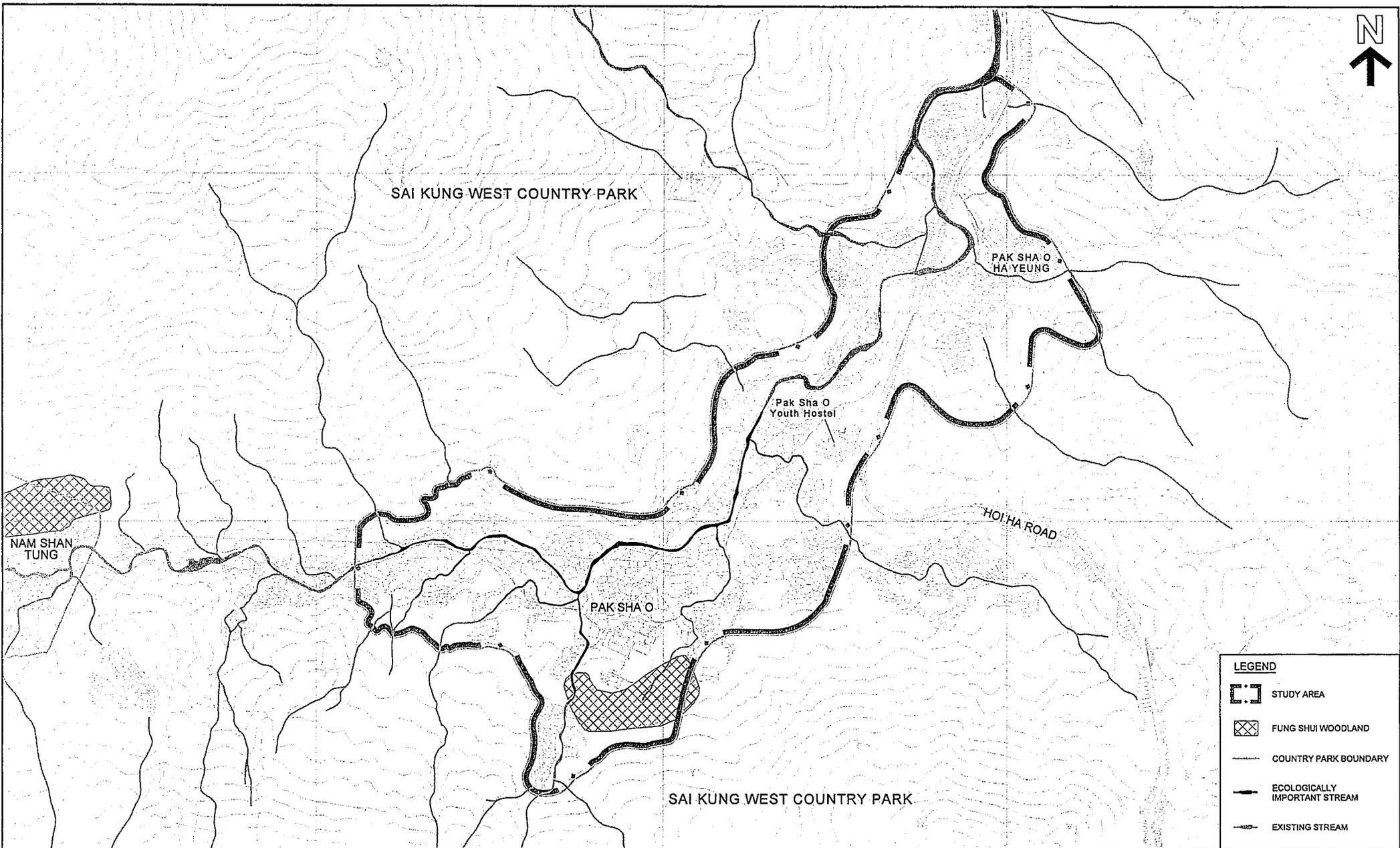


PLAN PREPARED ON 16.6.2015
BASED ON SHEETS No. 4-SE/SW AND 8-NE/NW



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

FIGURE
8



LEGEND

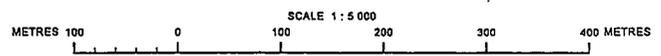
-  STUDY AREA
-  FUNG SHUI WOODLAND
-  COUNTRY PARK BOUNDARY
-  ECOLOGICALLY IMPORTANT STREAM
-  EXISTING STREAM

ECOLOGICAL RESOURCES

PAK SHA O

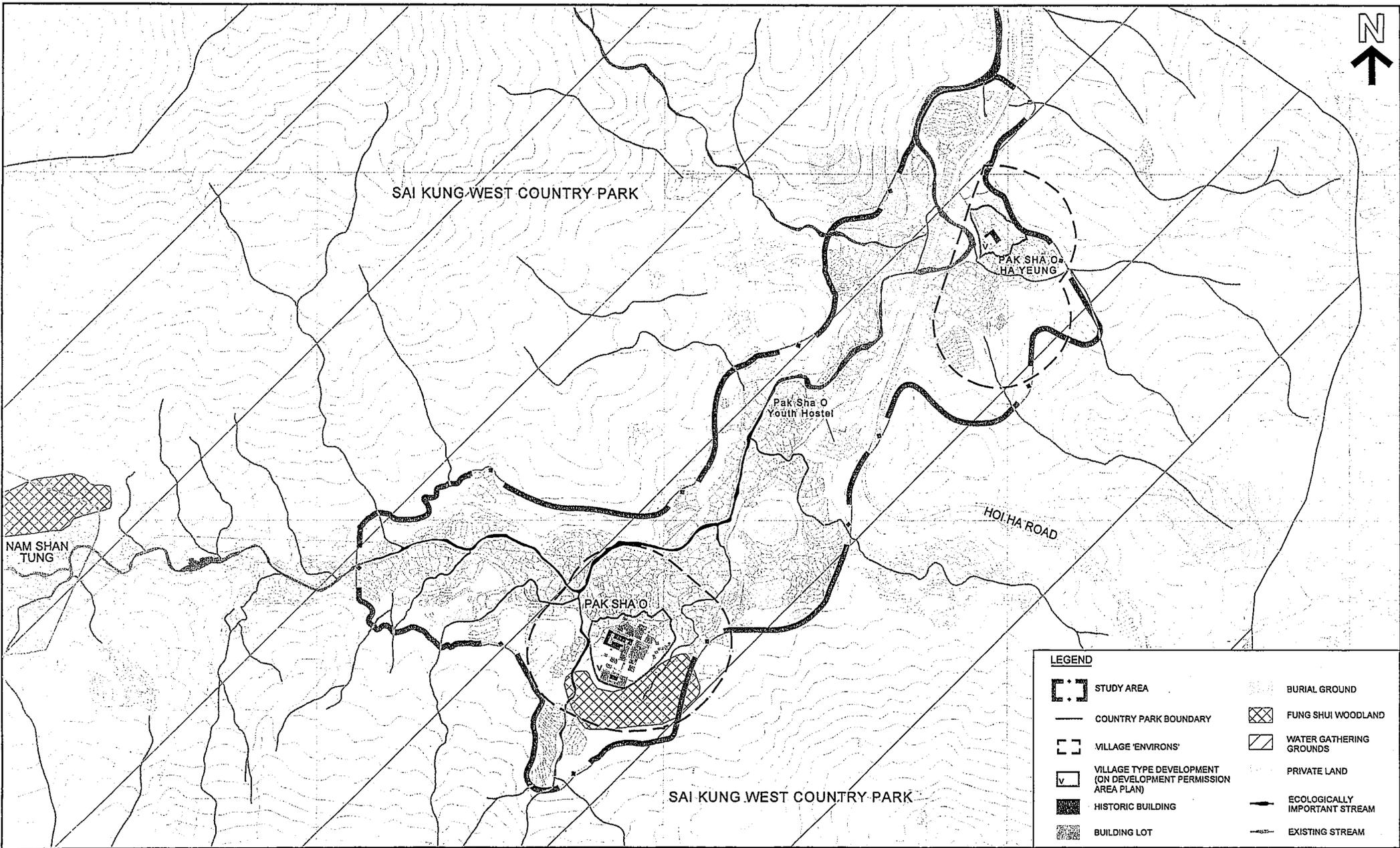
PLANNING DEPARTMENT 

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



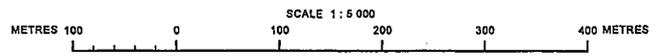
LEGEND			
	STUDY AREA		BURIAL GROUND
	COUNTRY PARK BOUNDARY		FUNG SHUI WOODLAND
	VILLAGE 'ENVIRONS'		WATER GATHERING GROUNDS
	VILLAGE TYPE DEVELOPMENT (ON DEVELOPMENT PERMISSION AREA PLAN)		PRIVATE LAND
	HISTORIC BUILDING		ECOLOGICALLY IMPORTANT STREAM
	BUILDING LOT		EXISTING STREAM

DEVELOPMENT CONSTRAINTS

PAK SHA O

PLANNING DEPARTMENT

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



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

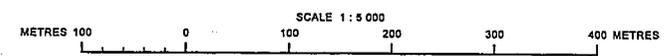
PLANNING DEPARTMENT



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

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

FIGURE
11



致：大埔區議會
主席暨全體議員

尊敬的張主席暨各位議員：

「城市規劃委員會」近日通過了「白沙澳分區計劃大綱草圖編號 S/NE-PSO/B」，竟然將在 2012 年 12 月發表的「白沙澳發展審批地區草圖編號 S/NE-PSO/1」中的「鄉村式發展」用地由原來已不合理的 1.38 公頃進一步不合理地減縮至 0.5 公頃，而且是連原有村屋也不能全部包括在內，亦無任何土地供村民申建屋宇，更訂明此「鄉村式發展」用地內的所有屋宇，無論是拆卸、重建或新申請建屋，都必須向「城市規劃委員會」事先申請。這不但是握殺我村的生存權利，更有強搶民產的意圖！

當初，規劃署在 2012 年的「白沙澳發展審批地區草圖編號 S/NE-PSO/1」發表後向我們諮詢時，我們一致反對該草圖，並指出當時的「鄉村式發展」區嚴重不足以應付村民的建屋需求，當時官員向我們解釋說該草圖只是臨時性質，壽命只有三年，將來會被新製定的「白沙澳分區計劃大綱草圖」所取代，到時會因應村民的要求而會將此村的「鄉村式發展」區用地加大云云。

其後，規劃署官員多次假「新界鄉議局」層面及「西貢北約鄉事委員會」層面與我們商討我村的規劃細節，並多次向我們提出白沙澳是一條頗為完好的客家村落，不希望在該等瓦面客家屋旁加建新型屋宇，並說會協助我們在鄉村範圍的另外地方規劃一幅新的「鄉村式發展」區給村民發展之用。

但是，規劃署官員卻出爾反爾，非但沒有為我們規劃一幅合適而足夠的「鄉村式發展」區用地，反而將原來的 1.38 公頃的「鄉村式發展」區不合理地縮減為 0.5 公頃，使村民完全無法申建屋宇，指出相關部門是欺騙村民，我們覺得政府之前所做的是假諮詢。所以，為抗議他們的不公義所為，我們已拒絕出席早前擬於西貢北約鄉事委員會舉行的「白沙澳分區計劃大綱草圖編號 S/NE-PSO/B」的諮詢會，並正積極研究以法律途徑維護我們的權益！

主席及各位議員們，我們極為期望區議會能強而有力地指出相關部門的不當，為我們討回公道，及為我村規劃出合適而足的「鄉村式發展」用地，以維護社會公義及我們應有的權益，不負廣大市民的期望！

順頌

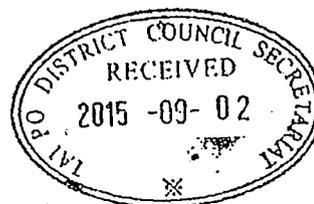
政祈

西貢北約白沙澳村代表

何志超

何志超敬上

2015 年 9 月 1 日



副本送交：新界鄉議局/西貢北約鄉事委員會/大埔區議會環境、房屋及工程委員會

(Translation)

Annex VI-1

To: Chairman and all Members,
Tai Po District Council

1st September 2015

Dear Chairman CHEUNG & Members,

Recently, the Draft Pak Sha O Outline Zoning Plan (OZP) No. S/NE-PSO/B is approved by the "Town Planning Board" (TPB). While the size of the "Village Type Development" zone ("V" zone) proposed in the Draft Pak Sha O Development Permission Area (DPA) Plan No. S/NE-PSO/1 published in December 2012 was unreasonably small (1.38 ha), it is unjustly further reduced to 0.5 ha in the latest OZP. Not only not all existing small houses are covered under the "V" zone, there is no available land area for small house application by the inhabitants. Worse still, it is stated that 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 would require planning permission from the TPB. This not just deprives our Village the right to live, it also implies seizure of private property.

In 2012 when the Draft Pak Sha O DPA Plan No. S/NE-PSO/1 was published, the Planning Department has approached us for consultation. At that time, we all opposed to the Draft Plan and pointed out that the "V" zone was acutely short of the inhabitants' demand for small house development. Then the officials explained to us that the Draft Plan was just a preliminary one effective only for three years and would later be replaced by a newly drawn Draft Pak Sha O OZP, saying that the "V" zone of the Village would be enlarged in line with the inhabitants' demand by then.

Later, PlanD officials have continually discussed with us about the planning details at the levels of "New Territories Heung Yee Kuk" and "Sai Kung North Rural Committee". They had repeatedly told us that Pak Sha O is a relatively well preserved Hakka Village and they wish no modern small house would be added next to the tiled roof Hakka structures. They also said that they would help us designate another new "V" zone within our village environs (VE) for small house development by our inhabitants.

However, PlanD officials have not honoured their words. Not only have they failed to draw appropriate and adequate "V" zone for us, the original 1.38 ha "V-zone" is unreasonably further reduced to 0.5 ha. There is no way that our inhabitants can apply for small house development. We would like to point out that the relevant departments are deceiving the inhabitants, and we feel that the consultation exercises done before were mere gesture. Therefore, in order to protest against this unjust action, we had refused to attend the proposed consultation meeting on the Draft Pak Sha O OZP held at the Sai Kung North Rural Committee. We are actively exploring legal actions to protect our rights!

Chairman and Members, we earnestly hope that your District Board can strongly point out the malpractice of the relevant departments and ensure justice is served on us. Appropriate and adequate "V" zone should be designated for us to safeguard social justice and our entitled rights. Please don't fail public expectations!

HO Chi-chiu (Signed)
Indigenous Inhabitant Representative of Pak Sha O Village,
Sai Kung North

C.c.

New Territories Heung Yee Kuk

Sai Kung North Rural Committee

Environment, Housing and Works Committee, Tai Po District Council

From the desk of

LI YIU BAN BBS MH JP

新界大埔墟仁興街人和里二號二樓

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傳真：2656 0146 電郵：yhli336@hotmail.com

川笈

李耀斌

新界鄉議局當然執行委員
大埔區議會當然區議員
大埔區青年活動委員會委員西貢北約鄉事委員會主席
新界鄉議局當然執行委員
大埔區議會當然區議員
大埔區青年活動委員會委員致： 大埔區議會
主席暨全體議員反對「白沙澳發展分區大綱圖 S/NE-PSO/B」

本人日前收到白沙澳村代表何志超先生來函，表示強烈反對「白沙澳發展分區大綱圖 S/NE-PSO/B」，其信件內容已呈交各位。本函不再贅述，但其中何先生提及規劃署曾多次假「新界鄉議局」層面及「西貢北約鄉事委員會」向村代表諮詢事，本人每次均有出席，可證實其敘述完全屬實，全都是規劃部門出爾反爾，欺騙村代表及村民，若任由此事發生，必然會損害特區政府的公信及管治能力，所謂「人無信不立」，行政機構無信，將何以維持其管治能力？況且，在本人瞭解該大綱圖後，發覺以下數點都是違反政府一貫的施政原則，現簡述如下：

一 此圖違反政府施致的公平原則：

1. 在政府施行的「新界小型屋宇政策」仍然生效之下，在過去產生關於鄉村的絕大部份規劃圖，都有劃出一定面積的「鄉村式發展區」予村民有合理機會申請建屋。但在白沙澳發展分區大綱圖 S/NE-PSO/B 內，完全沒有任何土地供村民申請，所以政府絕對是違反了施政上的「公平原則」。
2. 城規會在此白沙澳發展分區大綱圖 S/NE-PSO/B 內所訂立的「鄉村式發展區」內，訂明區內所有構築物的拆卸、重建及新申請都必須再次向「城市規劃委員會」提出申請，而區內並無法定古蹟存在，政府既不能引用「古物古蹟條例」阻止業主的拆卸或重建（就如景賢里、何東大宅及最近之灣仔同德大押……等）。但政府現在卻以規劃手段對待白沙澳村民作出限制，是完全不公平、不合理的做法！若然規劃手段可行的話，政府又為何不將之施放於景賢里、何東大宅及最近之灣仔同德大押？若政府強行向村民施加規劃手段，亦是嚴重違反社會公義及公平原則！

二 此規劃圖顯示政府握殺了白沙澳村民的合理期望。

白沙澳村民過去因該村交通不便，加上農耕已無法維生，村民為外出謀生而無法長期居住村內，雖然如此，絕大部份村民都存有共同信念，就是希望積聚金錢，以作退休後能落葉歸根，返回故鄉申建屋宇以安享晚年，在放鄉交通已有很大改善的今天，他們正期望規劃

From the desk of

LI YIU BAN BBS MH JP

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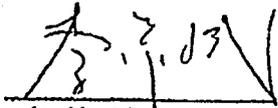
李耀斌

西貢北約
新界鄉議局
大埔區議會
大埔區青
年活動委員會

西貢北約鄉事委員會主席
新界鄉議局當然執行委員
大埔區議會當然區議員
大埔區青年活動委員會委員

過程完成後，在他們白沙澳的「鄉村式發展區」內申建屋宇，但在此規劃圖發表後，令村民完全絕望，因此圖之「鄉村式發展區」內，完全沒有任何土地供他們使用！政府在明知會產生上述情況下，只有在註釋欄內託詞說村民仍可以到其他村落申請（俗稱為飛丁），但大家須知道飛丁並不能到其他村以政府土地申請，而是必須在同區內其他村落購入私人農地才能提出申請，但在各村的用地都不足時，即使投入高價，亦難以購得合用及可供建屋之土地，所以，他們的說法只是為他們不合理的規劃開脫而已。因他們已全握殺了村民的合理期望！

西貢北約鄉事委員會主席
新界鄉議局執行委員
大埔區議員



李耀斌

07-09-2015

Letterhead: LI Yiu Ban

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Chairman, Sai Kung North Rural Committee
Ex-official Executive Member of the N.T. Heung Yee Kuk
Ex-official Member of Tai Po District Council
Member, Tai Po District Youth Programme Committee

To: Chairman and all Members,
Tai Po District Council

7th September 2015

Objection against the Pak Sha O Outline Zoning Plan S/NE-PSO/B

Recently, I have received a letter from Mr. HO Chi-chiu, Indigenous Inhabitant Representative (IIR) of Pak Sha O Village, stating his strong objection to the “Pak Sha O Outline Zoning Plan (OZP) S/NE-PSO/B”. His letter has already been submitted to you all and I am not going to repeat its content here. Mr. HO mentioned that PlanD has solicited the views of the IIR at the levels of “New Territories Heung Yee Kuk” and “Sai Kung North Rural Committee” on many occasions. I was there present at all the meetings. I can prove that his account is all true. It is the planning authority eating their words to deceive the IIR and the inhabitants. If this is allowed to continue, the credibility and governance of the HKSARG would be blemished. As we say, “if one has no credibility, there is no standing in the society”. If the administration has no credibility, how can it maintain its governance? Besides, having studied that OZP, I find that the following points are against the prevailing policy principle of the Government. I hereby summarize them as follows:

I. This OZP is contrary to the principle of fairness in Government administration

1. The “Small House Policy” adopted by the Government is still in force. In the past, the majority of the OZPs related to rural villages would usually zone a considerable size of “V” zone to give inhabitants reasonable opportunities to apply for small house. Yet in the Pak Sha O OZP S/NE-PSO/B, there isn’t any land for small house application by the inhabitants. Therefore, the Government has unquestionably breached the “principle of fairness” in Government administration.
2. In this Pak Sha O OZP S/NE-PSO/B, it is stipulated that within the “V” zone, proposed new Small Houses and any demolition of or addition, alteration and/or modification to or replacement/redevelopment of an existing building would require planning permission from the TPB. As there is no declared monuments in the area, the Government cannot cite the Antiquities and Monuments Ordinance to stop owners from demolition or redevelopment (such as at King Yin Lei, Ho Tung Gardens, and the recent Tung Tak Pawn in Wanchai, etc.) However, the Government is now using planning measure to impose control on the inhabitants of Pak Sha O Village. This practice is completely unfair and unreasonable. If planning measure is feasible, why haven’t the Government applied it to King Yin Lei, Ho Tung Gardens, and the recent Tung Tak Pawn in Wanchai? If the

Government forcibly apply planning measure to the inhabitants, it is an outrageous breach of social justice and principle of fairness.

II. This OZP shows that the Government has snuffed out the reasonable expectation of the inhabitants of Pak Sha O Village

In the old days, as transportation was poor and agriculture could not sustain a living, inhabitants of Pak Sha O Village had moved out to make a living. Hence, they could not stay at the village on a continuous basis. Yet most inhabitants share a common belief. That is: they hope to save up money and resettle in their home village to enjoy their old age by constructing their own homes. So with improved transportation within rural areas today, they are expecting to develop their small house at the "V" zone of Pak Sha O when the planning process is over. However, after the OZP was published, the inhabitants are in total despair. It is because in the "V" zone of this OZP, there is no land available for their use. The Government know very well that the abovesaid situation would occur, so an excuse is made in the Explanatory Statement that inhabitants can still file their application in other villages (commonly known as cross-village application). Well you have to understand that cross-village application is not applicable to Government land in other villages. An applicant must acquire private agricultural land at a village of the same district before he can file the application. Therefore, what they have said is just an excuse to exculpate their unreasonable planning. They have completely snuffed out the reasonable expectation of the inhabitants!

LI Yiu Ban (Signed)
Chairman, Sai Kung North Rural Committee
Executive Member of the N.T. Heung Yee Kuk
Member of Tai Po District Council

From the desk of

LI YIU BAN BBS MH JP

新界大埔墟仁興街人和里二號二樓

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新界鄉議局當然執行委員
大埔區議會當然區議員
大埔區青年活動委員會委員

致規劃署凌嘉勤署長：

要求在新界鄉村制定合乎政府施政原則及多贏結果的規劃圖則

由於規劃署近年在新界鄉村（尤其在新界偏遠鄉村）的規劃上，往往以環境保育凌駕於村民建屋需要之上，因而使該等鄉村缺乏合適土地申建房屋，令村民非常不滿，紛紛指規劃部門持多重標準，旨在握殺村民建屋的權利及鄉村的正常繁衍！

就以我區白沙澳村為例，其情況更令人憤慨。（詳情請參閱白沙澳村代表何志超先生致大埔區議會主席的信件）他指規劃署人員曾多次在鄉議局層面及鄉事會層面向他們諮詢，但他們的意見及要求從來沒有受到重視，就連部門自己提出的諮詢基礎亦沒有實現，並認為所有諮詢都是愚弄大眾、欺騙村民，是徹頭徹尾的假諮詢，所以他們已拒絕接受規劃署人員擬假西貢北約鄉事委員會關於此規劃圖的諮詢會。並明言如果村民的合理要求得不到處理，必定會透過法律途徑以討回公道！

另外，我區尚有多條鄉村對他們鄉村的「臨時審批圖」或「發展分區大綱圖」非常不滿，得知署長今天到來大埔區議會，所以他們都到來向署長遞信請願，希望署長明白他們的苦況及接受他們的訴求。此事如能達致大家都接受的多贏結果，則絕對是香港之福！請署長慎重考慮及處理。

多謝！

西貢北約鄉事委員會主席
新界鄉議局執行委員
大埔區議員


李耀斌 敬上

10/9/2015

Letterhead: LI Yiu Ban

1/F, 2 Yan Wo Lane, Yan Hing Street, Tai Po Market, N.T.
Tel.: 2656 4466
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Chairman, Sai Kung North Rural Committee
Ex-official Executive Member of the N.T. Heung Yee Kuk
Ex-official Member of Tai Po District Council
Member, Tai Po District Youth Programme Committee

To: K.K. LING,
Director of Planning

10th September 2015

Request to make statutory plan for N.T. villages
conforming to the prevailing principles of Government policies with win-win situation

In recent years, the Planning Department often uses environmental protection to supersede the inhabitants' housing need when they zone the N.T. villages (especially the remote villages in the N.T.). As a result, those villages are in lack of appropriate land for small house application. The inhabitants are extremely dissatisfied, accusing the Department of applying different sets of standards with the intention of snuffing out the inhabitants' right of housing development and normal proliferation of the village.

Citing the example of Pak Sha O Village in our area, the situation is frustrating. (For details, please refer to the letter to the Chairman of the Tai Po District Council by Mr. HO Chi-chiu, IIR of the Pak Sha O Village.) He pointed out that PlanD officials have continually discussed with them about the planning details at the levels of Heung Yee Kuk and Rural Committee, yet their views and demand have never been heeded to, even the consultation work done by the Department itself is not realized. They find that all consultation is meant to fool the mass and deceive the inhabitants. It was downright false consultation. Therefore, they have refused invitation by the PlanD to attend the consultation meeting at the Sai Kung North Rural Committee to discuss this OZP. They openly said that if the legitimate demand of the inhabitants is not met, they would resort to legal actions to get justice done.

Besides, there are many other villages in our area that are similarly discontent with the "preliminary DPA Plan" or "OZP" of their village. As they know the Director is coming to attend the Tai Po District Council meeting, they have come to file their petition. They hope the Director would appreciate their predicament and accept their pledge. If a win-win solution could be identified for this matter, it would be a blessing for Hong Kong! Mr. Director, please give second thought and deal with the matter.

Thank you!

LI Yiu Ban (Signed)
Chairman, Sai Kung North Rural Committee
Executive Member of the N.T. Heung Yee Kuk
Member of Tai Po District Council

From: "Andrew Chan (Local Biodiversity)" < >
To: <dymng@pland.gov.hk>,
Cc: "Roy Ng" < >, "Wick Leung" < >, "Miffy Ng"
< >, "Paul Zimmerman" < >
"Henry" < >, "Ikcheng" < >, "WOO Ming
Chuan" < >, "Tony Nip" < >, "Michael Lau
(Conservation)" < >, "Tobi Lau (Local Biodiversity)" < >
Date: 28/07/2015 17:05
Subject: Re: Pak Sha O OZP

Dear David,

Please find WWF's preliminary comments on the draft Pak Sha O OZP as follow:

- 1) Apart from those sections inside country park, the riparian zone of the EIS and its upper sections should be protected by "CA" zone;
- 2) Mature woodland within the plan area should be protected by "CA" zone as it supports high diversity of bird species, such as Brown Fish Owl.

Thank you for your attention.

Best regards,
Andrew Chan
Conservation Officer, Local Biodiversity
World Wide Fund For Nature Hong Kong
世界自然(香港)基金會
15/F, Manhattan Centre,
8 Kwai Cheong Road,
Kwai Chung, New Territories
Tel: (852) 2161 9667
Fax: (852) 2845 2764
Website: www.wwf.org.hk

WWF Hong Kong works to ensure a better environment for present and future generations in Hong Kong.

Mr. David NG
 Senior Town Planner/ Country Park Enclaves Team 1,
 Sha Tin, Tai Po and North District Planning Office,
 Planning Department,
 14/F, Sha Tin Government Offices,
 1 Sheung Wo Che Road,
 Sha Tin, N.T.
 (E-mail: dymng@pland.gov.hk)



香港觀鳥會
 THE
 HONG
 KONG
 BIRD
 WATCHING
 SOCIETY
 Since 1957 成立

By email only

6 August 2015

Dear Mr. Ng,

Comments on the Draft Pak Sha O Outline Zoning Plan (S/NE-PSO/B)

The Hong Kong Bird Watching Society (HKBWS) would like to thank the Planning Department for consulting environmental NGOs on the Draft Pak Sha O Outline Zoning Plan (S/NE-PSO/B). Our comments on the draft Plan are as below.



1. Ecological importance of Pak Sha O

From 1999 to 2014, HKBWS has recorded 175 species of birds in Pak Sha O, which accounts for about one-third of total number of bird species recorded in Hong Kong¹; among them, 56 species are of conservation concern (Appendix 1). A diverse group of birds have been found in the Plan Area, including woodland birds (e.g., flycatchers, warbler, babblers and flowerpeckers), waterbirds (e.g., egrets, herons, shorebirds and kingfishers), open country birds (e.g., buntings) and raptor species (e.g., eagles and owls). The presence of such a wide range of bird species indicates the Plan Area is with diverse undisturbed natural habitats which are worthy of protection, particularly the woodland, marsh and natural streams.

One of the species of conservation concern frequently recorded in Pak Sha O is the Brown Fish Owl (*Ketupa zeylonensis*), which is a scarce resident in Hong Kong². It is considered to be of Regional Concern³ and is listed under Class II protection in the

¹ Total bird species in Hong Kong is 531.

² Carey, G.J., Chalmers, M.L., Diskin, D.A., Kennerley, P.R., Leader, P.J., Leven, M.R., Lewthwaite, R.W., Melville, D.S., Turnbull, M. and Young, L. (2001). *The Avifauna of Hong Kong*. Hong Kong Bird Watching Society.

³ Fellowes, J.R., Lau, M.W.N., Dudgeon, D., Reels, G.T., Ades, G.W.J., Carey, G.J., Chan, B.P.L., Kendrick, R.C., Lee, K.S., Leven, M.R., Wilson, K.D.P. and Yu, Y.T. (2002). Wild animals to watch: Terrestrial and freshwater fauna of conservation concern in Hong Kong. *Memoirs of the Hong Kong Natural History Society* No. 25, 123-160.

People's Republic of China List of Wild Animals⁴. This species feeds in undisturbed, unpolluted lowland streams and tidal creeks². The woodlands in Pak Sha O are breeding grounds for Brown Fish Owl, while the marshes and unpolluted natural streams and their riparian vegetation are suitable foraging grounds and perches for this species. The occurrence of this species and other raptor species, which are top predators in the food web, indicates that the terrestrial and river ecosystem is in healthy condition.

2. Our Comments and Recommendations

The HKBWS appreciates that the "Village Type Development" (V) zone in the proposed Plan (S/NE-PSO/B) is confined to the existing village cluster, and following the "Tai Long Wan approach", "House" is in Column 2 of the V zone (i.e. need permission from the Town Planning Board). However, the development pressure from small houses still exists in other zonings (i.e. "Agriculture" and "Green Belt" zonings), given that the approval rates of small houses in these zonings are more than 55%⁵. We are concerned such development would lead to a direct loss of natural undisturbed habitats and would adversely affect the wildlife inhabiting the area, including the protected Brown Fish Owl. Therefore, in order to protect the integrity of the ecosystem in Pak Sha O and alleviate the development pressure from small houses, the HKBWS considers that **all woodland, all natural streams (including the Ecologically Important Stream) and their riparian zones should be protected by "Green Belt (1)" or "Conservation Area" zoning.** Furthermore, given the Plan Area is of ecological importance and is within the Water Gathering Ground as defined by the Water Services Department, **buffer zones for the protection of streams and riparian vegetation should be zoned "Green Belt (1)" or "Conservation Area" for at least 30 metres wide on the two sides of the bank.**

The introduction of planning control alone could not fully protect the sites from activities such as unauthorized tree felling and vegetation removal. In order to fully protect the ecological and landscape values of the site, as well as the overall value of the surrounding Sai Kung West Country Park, the Authority should consider including Pak Sha O into the Sai Kung West Country Park following detailed assessments and public consultation. HKBWS believes that Pak Sha O and surrounding areas are

⁴ List of Wild Animals under State Protection (promulgated by State Forestry Administration and Ministry of Agriculture on 14 January, 1989).

⁵ Approval rate of small houses in "Agriculture" and "Green Belt" zones are about 63% and 57% respectively. Percentages calculated from the data provided in Annex of LegCo Question 17 (6 Feb 2013) - Land reserved for building New Territories small houses. Retrieved from http://gia.info.gov.hk/general/201302/06/P201302060426_0426_106939.pdf

qualified for such purpose given its value in terms of ecology, landscape and built heritage.

Thank you for your kind attention and we hope that the Planning Department and the Town Planning Board would take our comments into consideration.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Woo Ming Chuan', with a large, sweeping flourish above the name.

Woo Ming Chuan
Conservation Officer
The Hong Kong Bird Watching Society

cc.

AFCD – Mr. Tony CHAN, Nature Conservation Officer (Tai Po)

AFCD – Mr. Tony HUNG, Wetland & Fauna Conservation Officer (Ornithology)

The Conservancy Association

Designing Hong Kong

Kadoorie Farm and Botanic Garden

WWF – Hong Kong

Appendix 1 - HKBWS BIRD RECORDS AT PAK SHA O (1999-2014)

No.	Common Name ⁽¹⁾	Scientific Name	Level of Concern ⁽⁴⁾	Protection Status in China ⁽⁵⁾	China Red Data Book ⁽⁶⁾	IUCN Red List (Version 2013.1) ⁽⁷⁾
1	Japanese Quail	<i>Coturnix japonica</i>	LC	-	-	Near Threatened
2	Eurasian Bittern ⁽⁹⁾	<i>Botaurus stellaris</i>	RC	-	-	-
3	Von Schrenck's Bittern ⁽⁹⁾	<i>Ixobrychus eurhythmus</i>	RC	-	-	-
4	Black-crowned Night Heron ⁽⁹⁾	<i>Nycticorax nycticorax</i>	(LC)	-	-	-
5	Striated Heron ⁽⁹⁾	<i>Butorides striatus</i>	(LC)	-	-	-
6	Chinese Pond Heron ⁽⁹⁾	<i>Ardeola bacchus</i>	PRC (RC)	-	-	-
7	Eastern Cattle Egret ⁽⁹⁾	<i>Bubulcus coromandus</i>	(LC)	-	-	-
8	Great Egret ⁽⁹⁾	<i>Ardea modesta</i>	PRC (RC)	-	-	-
9	Intermediate Egret ⁽⁹⁾	<i>Egretta intermedia</i>	RC	-	-	-
10	Little Egret ⁽⁹⁾	<i>Egretta garzetta</i>	PRC (RC)	-	-	-
11	Crested Honey Buzzard ⁽⁸⁾	<i>Pernis ptilorhynchus</i>	LC	Class II	Vulnerable	-
12	Crested Serpent Eagle ⁽⁸⁾	<i>Spilornis cheela</i>	(LC)	Class II	Vulnerable	-
13	Bonelli's Eagle ⁽⁶⁾⁽⁹⁾	<i>Aquila fasciata</i>	(RC)	Class II	Rare	-
14	Crested Goshawk ⁽⁸⁾	<i>Accipiter trivirgatus</i>	-	Class II	Rare	-
15	Japanese Sparrowhawk ⁽⁸⁾	<i>Accipiter gularis</i>	-	Class II	-	-
16	Besra ⁽⁸⁾	<i>Accipiter virgatus</i>	-	Class II	-	-
17	Eastern Marsh Harrier ⁽⁶⁾⁽⁹⁾	<i>Circus spilonotus</i>	LC	Class II	-	-
18	Black Kite ⁽⁶⁾⁽⁹⁾	<i>Milvus migrans</i>	(RC)	Class II	-	-
19	White-bellied Sea Eagle ⁽⁶⁾⁽⁹⁾	<i>Haliaeetus leucogaster</i>	(RC)	Class II	-	-
20	Eastern Buzzard ⁽⁶⁾⁽⁹⁾	<i>Buteo japonicus</i>	-	Class II	-	-
21	Slaty-legged Crake	<i>Rallina eurizonoides</i>	-	-	-	-
22	White-breasted Waterhen ⁽⁹⁾	<i>Amaurornis phoenicurus</i>	-	-	-	-
23	Eurasian Woodcock	<i>Scolopax rusticola</i>	-	-	-	-
24	Pintail Snipe ⁽⁹⁾	<i>Gallinago stenura</i>	-	-	-	-
25	Common Snipe ⁽⁹⁾	<i>Gallinago gallinago</i>	-	-	-	-
26	Wood Sandpiper ⁽⁹⁾	<i>Tringa glareola</i>	LC	-	-	-
27	Temminck's Stint ⁽⁹⁾	<i>Calidris temminckii</i>	LC	-	-	-
28	Oriental Turtle Dove	<i>Streptopelia orientalis</i>	-	-	-	-
29	Spotted Dove	<i>Streptopelia chinensis</i>	-	-	-	-
30	Common Emerald Dove	<i>Chalcophaps indica</i>	-	-	Vulnerable	-
31	Greater Coucal	<i>Centropus sinensis</i>	-	Class II	Vulnerable	-
32	Chestnut-winged Cuckoo	<i>Clamator coromandus</i>	-	-	-	-
33	Plaintive Cuckoo	<i>Cacomantis merulinus</i>	-	-	-	-
34	Fork-tailed Drongo Cuckoo	<i>Surniculus lugubris</i>	-	-	-	-
35	Large Hawk Cuckoo	<i>Hierococcyx sparverioides</i>	-	-	-	-
36	Hodgson's Hawk Cuckoo	<i>Hierococcyx nasicolor</i>	-	-	-	-
37	Collared Scops Owl ⁽⁶⁾	<i>Otus lettia</i>	-	Class II	-	-
38	Brown Fish Owl ⁽⁶⁾	<i>Ketupa zeylonensis</i>	RC	Class II	-	-
39	Asian Barred Owllet ⁽⁶⁾	<i>Glaucidium cuculoides</i>	-	Class II	-	-
40	Grey Nightjar	<i>Caprimulgus jotaka</i>	LC	-	-	-
41	Savanna Nightjar	<i>Caprimulgus affinis</i>	-	-	-	-
42	Silver-backed Needletail	<i>Hirundapus cochinchinensis</i>	-	Class II	-	-
43	Pacific Swift	<i>Apus pacificus</i>	(LC)	-	-	-
44	House Swift	<i>Apus nipalensis</i>	-	-	-	-
45	Oriental Dollarbird	<i>Eurystomus orientalis</i>	-	-	-	-
46	White-throated Kingfisher ⁽⁹⁾	<i>Halcyon smyrnensis</i>	(LC)	-	-	-
47	Black-capped Kingfisher ⁽⁹⁾	<i>Halcyon pileata</i>	(LC)	-	-	-
48	Common Kingfisher ⁽⁹⁾	<i>Alcedo atthis</i>	-	-	-	-
49	Great Barbet	<i>Megalaima virens</i>	-	-	-	-
50	Speckled Piculet	<i>Picumnus innominatus</i>	LC	-	-	-
51	Common Kestrel ⁽⁸⁾	<i>Falco tinnunculus</i>	-	Class II	-	-
52	Amur Falcon	<i>Falco amurensis</i>	-	Class II	-	-
53	Eurasian Hobby ⁽⁸⁾	<i>Falco subbuteo</i>	(LC)	Class II	-	-
54	Black-winged Cuckoo-shrike	<i>Coracina melaschistos</i>	-	-	-	-
55	Swinhoe's Minivet	<i>Pericrocotus cantonensis</i>	LC	-	-	-
56	Ashy Minivet	<i>Pericrocotus divaricatus</i>	-	-	-	-
57	Grey-chinned Minivet	<i>Pericrocotus solaris</i>	LC	-	-	-
58	Scarlet Minivet	<i>Pericrocotus speciosus</i>	-	-	-	-
59	Bull-headed Shrike	<i>Lanius bucephalus</i>	-	-	Rare	-
60	Brown Shrike	<i>Lanius cristatus</i>	-	-	-	-
61	Long-tailed Shrike	<i>Lanius schach</i>	-	-	-	-
62	White-bellied Erpornis	<i>Erpornis zantholeuca</i>	LC	-	-	-
63	Black-naped Oriole	<i>Oriolus chinensis</i>	LC	-	-	-
64	Hair-crested Drongo	<i>Dicrurus hottentottus</i>	-	-	-	-
65	Black-naped Monarch	<i>Hypothymis azurea</i>	-	-	-	-
66	Asian Paradise Flycatcher	<i>Terpsiphone paradisi</i>	LC	-	-	-
67	Japanese Paradise-Flycatcher	<i>Terpsiphone atrocaudata</i>	LC	-	-	Near Threatened
68	Red-billed Blue Magpie	<i>Urocissa erythrorhyncha</i>	-	-	-	-
69	Grey Treepie	<i>Dendrocitta formosae</i>	LC	-	-	-
70	Collared Crow	<i>Corvus torquatus</i>	LC	-	-	Near Threatened
71	Large-billed Crow	<i>Corvus macrorhynchos</i>	-	-	-	-
72	Cinereous Tit	<i>Parus cinereus</i>	-	-	-	-
73	Yellow-cheeked Tit	<i>Parus spilonotus</i>	-	-	-	-
74	Eurasian Skylark	<i>Alauda arvensis</i>	-	-	-	-
75	Red-whiskered Bulbul	<i>Pycnonotus jocosus</i>	-	-	-	-
76	Chinese Bulbul	<i>Pycnonotus sinensis</i>	-	-	-	-
77	Mountain Bulbul	<i>Ixos mcclellandii</i>	-	-	-	-
78	Chestnut Bulbul	<i>Hemixos castanonotus</i>	-	-	-	-
79	Barn Swallow	<i>Hirundo rustica</i>	-	-	-	-
80	Red-rumped Swallow	<i>Cecropis daurica</i>	-	-	-	-
81	Pygmy Wren-babbler	<i>Pnoepyga pusilla</i>	-	-	-	-
82	Mountain Tailorbird	<i>Phyllergates cucullatus</i>	-	-	-	-
83	Japanese Bush Warbler	<i>Horornis diphone</i>	-	-	-	-
84	Manchurian Bush Warbler	<i>Horornis borealis</i>	-	-	-	-

Appendix 1 - HKBWS Brld Records at Pak Sha O (1999-2014)

No.	Common Name ⁽¹⁾	Scientific Name	Level of Concern ⁽⁴⁾	Protection Status in China ⁽⁵⁾	China Red Data Book ⁽⁶⁾	IUCN Red List (Version 2013.1) ⁽⁷⁾
85	Brown-flanked Bush Warbler	<i>Horornis fortipes</i>	-	-	-	-
86	Asian Stubtail	<i>Urosphena squameiceps</i>	-	-	-	-
87	Dusky Warbler	<i>Phylloscopus fuscatus</i>	-	-	-	-
88	Radde's Warbler	<i>Phylloscopus schwarzi</i>	-	-	-	-
89	Chinese Leaf Warbler	<i>Phylloscopus yunnanensis</i>	-	-	-	-
90	Pallas's Leaf Warbler	<i>Phylloscopus proregulus</i>	-	-	-	-
91	Yellow-browed Warbler	<i>Phylloscopus inornatus</i>	-	-	-	-
92	Arctic Warbler	<i>Phylloscopus borealis</i>	-	-	-	-
93	Two-barred Warbler	<i>Phylloscopus plumbeitarsus</i>	-	-	-	-
94	Pale-legged Leaf Warbler	<i>Phylloscopus tenellipes</i>	-	-	-	-
95	Eastern Crowned Warbler	<i>Phylloscopus coronatus</i>	-	-	-	-
96	Goodson's Leaf Warbler	<i>Phylloscopus goodsoni</i>	LC	-	-	-
97	Martens's Warbler	<i>Seicercus ornaiensis</i>	-	-	-	-
98	Black-browed Reed Warbler	<i>Acrocephalus bistrigiceps</i>	-	-	-	-
99	Manchurian Reed Warbler	<i>Acrocephalus tangorum</i>	-	-	-	Vulnerable
100	Russet Bush Warbler	<i>Locustella mandelli</i>	-	-	-	-
101	Pallas's Grasshopper Warbler	<i>Locustella certhiola</i>	LC	-	-	-
102	Zitting Cisticola	<i>Cisticola juncidis</i>	LC	-	-	-
103	Plain Prinia	<i>Prinia inornata</i>	-	-	-	-
104	Common Tailorbird	<i>Orthotomus sutorius</i>	-	-	-	-
105	Streak-breasted Scimitar Babbler	<i>Pomatorhinus ruficollis</i>	-	-	-	-
106	Rufous-capped Babbler	<i>Stachyris ruficeps</i>	LC	-	-	-
107	Chinese Hwamei	<i>Garrulax canorus</i>	-	-	-	-
108	Masked Laughingthrush	<i>Garrulax perspicillatus</i>	-	-	-	-
109	Greater Necklaced Laughingthrush	<i>Garrulax pectoralis</i>	-	-	-	-
110	Black-throated Laughingthrush	<i>Garrulax chinensis</i>	-	-	-	-
111	Blue-winged Minla	<i>Minla cyanouroptera</i>	-	-	-	-
112	Chesnut-collared Yuhina	<i>Yuhina castaniceps</i>	(LC)	-	-	-
113	Chestnut-flanked White-eye	<i>Zosterops erythropleurus</i>	-	-	-	-
114	Japanese White-eye	<i>Zosterops japonicus</i>	-	-	-	-
115	Velvet-fronted Nuthatch	<i>Sitta frontalis</i>	-	-	-	-
116	Common Myna	<i>Acridotheres tristis</i>	-	-	-	-
117	Red-billed Starling ⁽⁹⁾	<i>Spodiopsar sericeus</i>	RC	-	-	-
118	Black-collared Starling	<i>Gracupica nigricollis</i>	-	-	-	-
119	Orange-headed Thrush	<i>Geokichla citrina</i>	LC	-	-	-
120	Siberian Thrush	<i>Geokichla sibirica</i>	-	-	-	-
121	White's Thrush	<i>Zoothera aurea</i>	-	-	-	-
122	Grey-backed Thrush	<i>Turdus hortulorum</i>	-	-	-	-
123	Japanese Thrush	<i>Turdus cardis</i>	-	-	-	-
124	Common Blackbird	<i>Turdus merula</i>	-	-	-	-
125	Eyebrowed Thrush	<i>Turdus obscurus</i>	-	-	-	-
126	Pale Thrush	<i>Turdus pallidus</i>	-	-	-	-
127	Brown-headed Thrush	<i>Turdus chrysolaus</i>	LC	-	-	-
128	Dusky Thrush	<i>Turdus eunomus</i>	LC	-	-	-
129	Oriental Magpie Robin	<i>Copsychus saularis</i>	-	-	-	-
130	Grey-streaked Flycatcher	<i>Muscicapa griseisticta</i>	-	-	-	-
131	Dark-sided Flycatcher	<i>Muscicapa sibirica</i>	-	-	-	-
132	Asian Brown Flycatcher	<i>Muscicapa latirostris</i>	-	-	-	-
133	Ferruginous Flycatcher	<i>Muscicapa ferruginea</i>	PRC	-	-	-
134	Hainan Blue Flycatcher	<i>Cyornis hainanus</i>	-	-	-	-
135	Fujian Niltava	<i>Niltava davidi</i>	-	-	-	-
136	Blue-and-white Flycatcher	<i>Cyanoptila cyanomelana</i>	-	-	-	-
137	Verditer Flycatcher	<i>Eumyias thalassinus</i>	-	-	-	-
138	Lesser Shortwing	<i>Brachypteryx leucophris</i>	LC	-	-	-
139	Siberian Blue Robin	<i>Luscinia cyane</i>	LC	-	-	-
140	Rufous-tailed Robin	<i>Luscinia sibilans</i>	-	-	-	-
141	Siberian Rubythroat	<i>Luscinia callope</i>	-	-	-	-
142	White-tailed Robin	<i>Myiomela leucura</i>	-	-	-	-
143	Red-flanked Bluetail	<i>Tarsiger cyanurus</i>	-	-	-	-
144	Blue Whistling Thrush	<i>Myophonus caeruleus</i>	-	-	-	-
145	Yellow-rumped Flycatcher	<i>Ficedula zanthopygia</i>	-	-	-	-
146	Narcissus Flycatcher	<i>Ficedula narcissina</i>	-	-	-	-
147	Mugimaki Flycatcher	<i>Ficedula mugimaki</i>	-	-	-	-
148	Red-throated Flycatcher	<i>Ficedula albicilla</i>	-	-	-	-
149	Daurian Redstart	<i>Phoenicurus auroreus</i>	-	-	-	-
150	Blue Rock Thrush	<i>Monticola solitarius</i>	-	-	-	-
151	Stejneger's Stonechat	<i>Saxicola stejnegeri</i>	-	-	-	-
152	Grey Bush Chat	<i>Saxicola ferreus</i>	LC	-	-	-
153	Orange-bellied Leafbird	<i>Chloropsis hardwickii</i>	LC	-	-	-
154	Fire-breasted Flowerpecker	<i>Dicaeum ignipectus</i>	-	-	-	-
155	Scarlet-backed Flowerpecker	<i>Dicaeum cruentatum</i>	-	-	-	-
156	Fork-tailed Sunbird	<i>Aethopyga christinae</i>	-	-	-	-
157	Eurasian Tree Sparrow	<i>Passer montanus</i>	-	-	-	-
158	White-rumped Munia	<i>Lonchura striata</i>	-	-	-	-
159	Scaly-breasted Munia	<i>Lonchura punctulata</i>	-	-	-	-
160	Forest Wagtail	<i>Dendronanthus indicus</i>	-	-	-	-
161	Eastern Yellow Wagtail	<i>Motacilla tschutschensis</i>	-	-	-	-
162	Grey Wagtail	<i>Motacilla cinerea</i>	-	-	-	-
163	White Wagtail	<i>Motacilla alba</i>	-	-	-	-
164	Richard's Pipit	<i>Anthus richardi</i>	-	-	-	-
165	Olive-backed Pipit	<i>Anthus hodgsoni</i>	-	-	-	-
166	Pechora Pipit	<i>Anthus gustavi</i>	LC	-	-	-
167	Brambling	<i>Fringilla montifringilla</i>	-	-	-	-
168	Chinese Grosbeak	<i>Eophona migratoria</i>	LC	-	-	-

Appendix 1 - HKBWS Bird Records at Pak Sha O (1999-2014)

No.	Common Name ⁽¹⁾	Scientific Name	Level of Concern ⁽⁴⁾	Protection Status in China ⁽⁵⁾	China Red Data Book ⁽⁶⁾	IUCN Red List (Version 2013.1) ⁽⁷⁾
169	Tristram's Bunting	<i>Emberiza tristrami</i>	-	-	-	-
170	Chestnut-eared Bunting	<i>Emberiza lucata</i>	LC	-	-	-
171	Little Bunting	<i>Emberiza pusilla</i>	-	-	-	-
172	Yellow-browed Bunting	<i>Emberiza chrysophrys</i>	-	-	-	-
173	Yellow-breasted Bunting	<i>Emberiza aureola</i>	RC	-	-	Endangered
174	Chestnut Bunting	<i>Emberiza rutila</i>	-	-	-	-
175	Black-faced Bunting	<i>Emberiza spodocephala</i>	-	-	-	-

Note:

(1) All wild birds are Protected under Wild Animal Protection Ordinance (Cap. 170)

(4) Fellowes et al. (2002): GC=Global Concern; LC=Local Concern; RC=Regional Concern; PRC=Potential Regional Concern; PGC: Potential Global Concern. Letters in parentheses indicate that the assessment is on the basis of restrictedness in nesting and/or roosting sites rather than in general occurrence.

(5) List of Wild Animals Under State Protection (promulgated by State Forestry Administration and Ministry of Agriculture on 14 January, 1989).

[國家重點保護野生動物名錄(1989年1月14日林業局及農業部發佈施行)]

(6) Zheng, G. M. and Wang, Q. S. (1998).

(7) IUCN (2013). IUCN Red List of Threatened Species. Version 2013.1

(8) Protected under Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586)

(9) Wetland-dependent species (including wetland-dependent species and waterbirds)

Species of conservation interest is in bold type face

From: David NEWBERY <>
To: <dymng@pland.gov.hk>;
Cc: <save-our-country-parks@googlegroups.com>
Date: 21/08/2015 16:34
Subject: Pak Sha O OZP

Dear David

We have had a chance to look at the OZP proposed for Pak Sha O and have the following preliminary comments.

FOHH, in principle, support many of the planning principles which have been incorporated into the OZP for Pak Sha O. In particular, it is pleasing to see that the ecological, cultural and historical importance of Pak Sha O has been recognised by PlanD. The relatively small size of the V-zone along with the constraints on building and redevelopment of existing buildings is good to see, as are the restrictions on the use of pesticides and fertilisers in the AGR zone.

However, as you might expect, we do have some further comments.

- a. Given the importance of the streams in the enclave both as being ecologically important as well as being a source for a public water supply, it is vital that the streams and the riparian zone are given the highest protection. To this end, we believe that a 30 metre barrier around the streams should become Conservation Area rather than Green Belt or AGR.
- b. The remaining Green Belt should be designated as Green Belt (1) or Conservation Area rather than Green Belt to ensure that there is no possibility of building and that the land owners will not be tempted to trash the areas preparatory to a request for a change of land use to facilitate building. This would be consistent with the approach at Hoi Ha.
- c. It should be made clear that the AGR zone is not to be seen as a potential building site and new buildings should be expressly forbidden.
- d. There should be no further encroachment of AGR into areas which have not already been cleared.

We will be making detailed comments when the plan is open for public submissions. In the meantime, I hope that these preliminary comments will help you to gauge the level of support for the proposed OZP.

Regards

David NEWBERY
FOHH

Designing Hong Kong

香港 .com

Hong Kong, 11 August 2015

Sha Tin, Tai Po and North District Planning Office,
Planning Department,
14/F, Sha Tin Government Offices,
1 Sheung Wo Che Road,
Sha Tin, N.T.
E-mail: dymng@pland.gov.hk

Dear Mr. Ng,

**Comments on the Draft Pak Sha O Outline Zoning Plan
No. S/NE-PSO/B**

Designing Hong Kong would like to thank the Planning Department for consulting environmental NGOs on the Draft Pak Sha O Outline Zoning Plan (S/NE-PSO/B). Our comments on the draft Plan are as below.

We appreciate that the "Village Type Development" (V) zone in the proposed Plan (S/NE-PSO/B) is confined to the existing village cluster, and follows the "Tai Long Wan approach", whereby "House" is in Column 2 of the V zone (i.e. need permission from the Town Planning Board).

We urge for further reduction of the development pressure from small houses still exists in other zonings (i.e. "Agriculture" and "Green Belt" zonings), given that the approval rates of small houses in these zonings are more than 55%. We have also witnessed throughout Hong Kong the removal of vegetation, tree felling, land filling of Agriculture and Green Belt zoned land to reduce the ecological value in the hope of better to chances of approval of house developments by the Town Planning Board.

To ensure that such activities only take place in support of genuine farming, we request the removal of house and small house developments from the notes of the plan for these zones.

Thank you for your kind attention and we hope that the Planning Department and the Town Planning Board would consider our comments.

Yours sincerely,

Miffy, Ng Chun Wing
Project Office
Designing Hong Kong

From: Tony Nip <
To: dymng@pland.gov.hk,
Cc:

Date: 21/08/2015 09:21
Subject: Re: Pak Sha O OZP

Dear David,

As spoken, our preliminary views are listed below:

1. Part of the proposed AGR zone would still be covered with mature trees. We consider that these areas should not be covered with AGR.
2. Many riparian areas are proposed to be covered with AGR. Although we understand that some of these areas are under active farming at the moment, we would like to reiterate that these areas are important in maintaining the integrity of the EIS. During the discussion made for the draft Lai Chi Wo OZP, we noted that the authorities had no strong view on zoning ecologically important areas with potential for farmland restoration with a specific zoning called 'AGR (2)' (in which Small House is deleted at both Columns 1 and 2). Following the above, we recommend that these riparian areas should be zoned AGR (2).
3. The secondary woodland and wetland are well connected with the surrounding CP. We strongly urge that these areas should be zoned CA/GB(1) (in consistent with the approach of Hoi Ha OZP).

Best Regards,

Tony

----- Original Message -----

From: "Ruy Barretto" <
To: "Paul Zimmerman" <
<dymng@pland.gov.hk>; "Tony Nip".
Cc:

Date: 21/08/2015 13:09
Subject: Re: Pak Sha O OZP

Dear David and Plan D, et al.

1. Thanks for letting us see this draft and thanks for your efforts so far. Some very brief outline comments.
2. There is an inherent contradiction between the GPI and the Planning Report and the draft Plan. The current draft does not protect the outstanding landscape, ecological and cultural values of the area from degradation and piece meal/incremental developments.
3. Instead of special conditions against the usual loopholes, it is business as usual. This case requires more specific solutions and conditions. It is not just large scale developments which will cause the damage. Even one or two failures will destroy the picturesque setting and degrade the ecological and cultural values. Please consider amendments which give Plan D a better chance to achieve this.
4. The Paper and Explanatory Statement needs to be amended to adequately reflect the mass of expert evidence provided in 2012 and the very strong public sentiments for strict controls and conservation in PSO because of its outstanding values. Where is the evidence on the bird records of the area?
5. Stricter planning control for the core village is welcomed, but should be for the whole valley and the water, marsh and STREAM system. Ecosystem integrity is not protected by the current draft, yet your evidence shows this is one of vital attributes making this place outstanding.

6. Your evidence and the evidence presented in 2012 show the Riparian areas are vital to the EIS and must be CA. GB is proved to be inadequate and vulnerable to houses. You will remember much opinion exists that this Enclave should be actually CP one day. It is contra to the evidence and the GPI that a place which is outstanding is left to minimal protection. The

CA must recognize the ecological values.

Others have compiled a plan showing how the valley's hydrology can be protected by CA thus protecting the ecology and cultural values too.

7. Those areas which are GB should have House deleted from the Notes.

8. AGR should have the filling to 1.2 m exception deleted. The recent AG

being farmed was marsh for decades until bulldozing/farming started as a precursor to the DPA. This is a special place for which the Board needs to assess and control filling of any sort. Plan D must have powers to prevent farming done as site preparation for development.

9. Business as usual for pesticides and fertilizers is NOT adequate. Conditions need to be put into the Notes to prevent this use so effective planning action can be taken.

10. Several old houses are now being deliberately left empty so with no use nor maintenance they decay and fall down. This is contrary to the GPI. It is not adequate just to protect the Setting, the Explanatory Statement and notes must specify that historic or old buildings need to be protected too to make your planning controls coherent and defensible.

11. To reduce the incentive for neglect, conditions should be inserted that require rebuilding and repairs, not just redevelopment, to be subject to Planning control. The Notes and Explanatory Statement should specify rebuilding in the traditional Hakka style and be similar to and compatible with the current village houses.

12. To reduce incentives for neglect and rebuilding, provisions such as those which allow for taller houses should be deleted as this goes against the GPI.

13. To my regret, there is NOT one reference to this planning being done to meet HK's obligations under the CBD. This should be put into the Exp Statement and Notes as part of the justification for conservation.

14. Please let me have your ideas to make this Plan deliver the GPI as per the above.

yours Ruy Barretto SC
21st August 2015

----- Original Message -----

From: "Paul Zimmerman" <

To: "Tony Nip" .

<dymng@pland.gov.hk>

Sent: Friday, August 21, 2015 9:37 AM
Subject: RE: Pak Sha O OZP

> Support.

From: "T.R. Collard" <
To: dymng@pland.gov.hk,
Date: 21/08/2015 16:21
Subject: Re: Pak Sha O OZP

Dear Sir,

My objections and suggestions to the Pak Sha O OZP are as follows:

1. The proposed AGR zone is too large, contains mature forest and should not be AGR.
2. Riparian areas are proposed as AGR. Agriculture in close proximity to the stream (an EIS) is inappropriate.
3. Organophosphate insecticides and herbicides (glyphosate) are in regular use in the new agricultural fields and their toxicity to aquatic species and ecosystems is well documented. Not only will this damage the EIS but also negatively impact marine species in the Hoi Ha Marine Park.
4. The woodland and wetland in the AGR are contiguous with the surrounding CP. These should be zoned CA.

Yours,

Tim Collard

From: Peter Mann <
To: dymng@pland.gov.hk,
Date: 21/08/2015 16:39
Subject: Pak Sha O OZP

Dear Sir,

I agree with Mr Collard's comments, especially as the stream flows into the Hoi Ha marine park. Conservation Area zoning should be given as Green Belt zoning is not secure and TPB frequently rezones this for building.

Best wishes,

Peter Mann

From: "Christophe"
To: <dymng@pland.gov.hk>
Cc:

Date: 23/08/2015 15:06
Subject: RE: TPB Paper regarding PSO draft OZP

Dear David,

Kindly find attached our zoning proposal, which I should have sent with my earlier email

The attachment in my previous email dated 21 Aug 2015 is that of the TPB proposal, in consequence kindly discard as it does not correspond to our comments, thanks

Best regards
C.

Christophe Barthelemy

-----Original Message-----

From: Christophe [mailto:]
Sent: Friday, August 21, 2015 9:43 PM
To: 'dymng@pland.gov.hk'

C

N

Subject: FW: TPB Paper regarding PSO draft OZP

Dear David,

We have had the opportunity to review the Draft OZP proposed for Pak Sha O by TPB and we have the following preliminary comments:

- 1- We are pleased to see that TPB has given high importance to the ecological, historical and landscape value of Pak Sha O enclave.
- 2- The relatively small VE zone is consistent with our previous comments.

3- Given the importance of the streams in the enclave both as being ecologically important as well as being a source for a public water supply, it is vital that the streams and the riparian zone are given the highest protection. To this end, we believe that a 30 metre barrier around the streams should become Conservation Area rather than Green Belt or AGR, see attached proposed zoning plan for the enclave.

4- It should be made clear that the AGR zone is not to be seen as a potential building site and new buildings should be expressly forbidden.

5- The remaining Green Belt should be designated as Green Belt (1) or Conservation Area rather than Green Belt to ensure that there is no possibility of building and that the land owners will not be tempted to trash the areas preparatory to a request for a change of land use to facilitate building. This would be consistent with the approach at Hoi Ha.

On the attached you will note that we have extended the CA zone along all the riparian system of the enclave as we believe the TPB proposal for CA zone does not reflect the reality of the enclave. Also to be noted that on the attached we have reduced the AGR zone (due to the 30m riparian corridor) from what it is now and we suggest that land that has been already cleared be left devoid of human activity and that no further enlargement of the AGR zone be contemplated. Note that farming activity in the enclave is recent (2012) and has only one purpose, that of destroying biodiversity in order to make re-zoning applications easier at a later date (Section 16).

On our proposed Zoning Plan we have also reduced slightly the VE zone to cater for the 30m riparian corridor at West of the village, so is the case for Pak Sha O Ha Yueng It is important to note that this approach (riparian corridor) has been applied successfully in the Sha Lo Tong enclave and we see this as a favourable precedent for Pak Sha O enclave

When the draft OZP is made public we will present further detailed comments.

In the meantime I hope the above comments are useful to your good self.

Kind regards
C.

Christophe Barthelemy

-----Original Message-----

From: Tony Nip [mailto:]
Sent: Friday, August 21, 2015 9:10 AM
To: T.R. Collard
Cc: Geoff Carey; David NEWBERY; Ruy Barretto; Nicola Newbery; WWF Tobi Lau; Christophe
Subject: Re: TPB Paper regarding PSO draft OZP
Importance: High

Dear All,

Please send your comments directly to David NG of Planning Department within today: dymng@pland.gov.hk.

Best Regards,

Tony

----- Original Message -----
From: "T.R. Collard" <

To: "Christophe" <

Subject: Re: TPB Paper regarding PSO draft OZP

Agreed, particularly as there is precedent at Sha Lo Tung.

Tim

On Fri, Aug 14, 2015 at 2:03 PM, Christophe < > wrote:

Dear All,

Kindly find attached two images:

- 1- The TPB zoning (in colour)
- 2- The zoning that I propose. Here the CA zone corresponds to the 60m riparian corridor (30m on each side) of the PSO river system. In consequence the AGR zone has been modified as well as the Village type development zones of PSO and PSOHY. In fact that CA area should be continued up to Nam Shan and down to Hoi Ha...

This approach has been used for Sha Lo Tong and we should argue for a greater CA zone than the ridiculous proposal of TPB

Comments?

C.

Christophe Barthelemy

-----Original Message-----

From: Tony Nip [mailto:]
Sent: Thursday, August 06, 2015 11:15 AM
To: Geoff Carey
Cc: 'David NEWBERY'; 'Christophe Barthelemy'; 'Ruy Barretto';
'Tim Collard'; 'WWF Tobi Lau'
Subject: RE: TPB Paper regarding PSO draft OZP

It is possible.

----- Original Message -----

From: Geoff Carey < >
To: 'Tony Nip' < >, 'David NEWBERY'

Sent: Thu, 06 Aug 2015 10:48:18 +0800 (HKT)
Subject: RE: TPB Paper regarding PSO draft OZP

I take your point Tony. Having thought about it more, it seems the developer may have been promised / be able to apply for development in the AGR zone while leaving the existing village untouched. This means that those properties it owns, in particular number 5, the largest detached house in the village, will simply fall into ruin. There are also three terraced houses behind this that might encounter the same fate.

Regards,

Geoff Carey
Director, AEC Ltd.

-----Original Message-----

From: Tony Nip [mailto:]
Sent: 05 August 2015 11:21
To: David NEWBERY
Cc: Christophe Barthelelmy; Ruy Barretto; ; Tim
Collard; WWF Tobi Lau; Geoff Carey
Subject: Re: TPB Paper regarding PSO draft OZP

AGR zone is always the concern. The approval rate of building Small Houses on AGR land is more than 60%.

Tony

----- Original Message -----

From: "David NEWBERY" <
To: "Geoff Carey" < "Tony Nip" <

Sent: Wednesday, August 5, 2015 11:13:43 AM
Subject: RE: TPB Paper regarding PSO draft OZP

Geoff

As you say, at first glance, there are a lot of good things in this draft plan - we'll have to go through it in detail to see if there are any hidden dangers. It's bound to raise a bit of a storm with certain other interested parties!

Regards

dave

-----Original Message

From: Geoff Carey
Sent: 04 August 2015 14:09
To: 'Tony Nip' <

Subject: RE: TPB Paper regarding PSO draft OZP

On the whole, I am pleasantly surprised by the general presumption against harmful development. The positives seem to be:

1. refusal to accept IR prediction of small house demand; 2. requirement for waste treatment plant for new development (should this be extended to re-development also?) ; 3. 'any change to existing vernacular Hakka village setting with possible adverse impact on the heritage value of historic buildings should be avoided': is this a way of objecting to modern 3-storey houses?
4. rather small V zones;
5. TPB permission for any new/replacement/redeveloped house, and for demolition, addition, alteration and modification.

Interesting also to note that use of pesticides within WCG is not allowed: this is surely happening right now. Also, use of other chemicals requires prior approval from WSD: has this happened?

Ruy may have a better idea of the detailed implications of these, and the various loopholes that might be exploited (potential for GB to re-zoned for example).

Regards,

Geoff Carey
Director, AEC Ltd.

-----Original Message-----

From: Tony Nip [mailto:]
Sent: 04 August 2015 13:49
To: Geoff Carey
Cc: Christophe Barthelelmy; Ruy Barretto;
Newbery; Tim Collard; WWF Tobi Lau
Subject: Re: TPB Paper regarding PSO draft OZP

David

Dear Geoff et al.,

Believe it or not, I am just back from Pak Sha O.

Regarding the draft draft plan, if you have any concerns related to the environments, please tell me and I will send to the PlanD.

Best Regards,

Tony

----- Original Message -----

From: "Geoff Carey" <
To: "Christophe Barthelelmy" < , "Ruy Barretto" <
>, "David Newbery" <
, "Tim Collard" < "Tony Nip" <
"WWF Tobi Lau"
Sent: Tuesday, August 4, 2015 12:07:09 PM
Subject: TPB Paper regarding PSO draft OZP

Have you seen this? I only got it today:

http://www.info.gov.hk/tpb/en/papers/TPB/1090-tpb_9965.pdf

There is no formal invitation to comment (though I haven't read through the document yet), but I guess one can, given it is publicly-available.

Regards,

Geoff Carey
Director

Description: cid:image001.jpg@01CEC05D.13B3E010

AEC Ltd .



PSO PROPOSED ZONING AUG 15s.jpg

Revision dates: 26-Sep-2013; 22 Dec 2012

-  Built Structures
-  Ruins
-  Private Ownership
-  Village Type Development
-  Conservation Area
-  Government, Institution or Community Area
-  Agriculture Area
-  Green Belt Area
-  Non-Country Park Enclave (approx. delineation). Approx Contour of DPA.
-  Ecologically Important Stream - Hoi Ha (AFCD limits)

