

DRAFT YUNG SHUE O
Outline Zoning Plan No. S/NE-YSO/1

1. PURPOSE

This Paper aims to brief the Council on the draft Yung Shue O Outline Zoning Plan No. S/NE-YSO/1 and the Notes and Explanatory Statement of the Plan (**Appendices I to III**).

2. BACKGROUND

- 2.1 On 16 October 2014, under the power delegated by the Chief Executive, the Secretary for Development directed the Town Planning Board (the Board), under section 3(1)(a) of the Town Planning Ordinance (the Ordinance), to prepare an OZP to cover the Yung Shue O area.
- 2.2 On 24 April 2015, the draft Yung Shue O OZP No. S/NE-YSO/1 (the Plan) was exhibited for public inspection under section 5 of the Ordinance.

3. THE PLANNING SCHEME AREA

The Planning Scheme Area (the Area) covers a total area of about 33.72 hectares. The Area is located at the western end of the Sai Kung Peninsula, with the Sai Kung West Country Park surrounding it on the north, east and south, and the Three Fathoms Cove lying to its west.

4. GENERAL PLANNING INTENTION

- 4.1 The Area forms an integral part of the natural system of the adjoining Sai Kung West Country Park with a wide spectrum of natural habitats including, inter alia, woodlands, shrublands, stream courses, and estuaries etc., which support protected plant species and should be preserved and protected. Besides, the Area also provides a good habitat for butterflies. The general planning intention of the Area is to protect its high conservation and landscape value which complements the overall naturalness and the landscape beauty of the surrounding Sai Kung West Country Park.
- 4.2 Given the natural environment, and high ecological and landscape value of the Area, it is also intended to consolidate village development so as to avoid undesirable disturbances to the natural environment and rural settings in the Area.

5. LAND-USE ZONINGS

5.1 “Village Type Development” (“V”) : Total Area 3.25 ha

The planning intention of this zone is to designate both the existing recognized village 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 boundaries of the “V” zone are drawn up having regard to the village ‘environ’, the number of outstanding Small House applications, Small House demand forecast, local topography and site constraints. Areas of difficult terrain, dense vegetation, stream courses and burial grounds have been avoided as far as possible. Yung Shue O is the only recognized village in the Area.

5.2 “Government, Institution or Community” (“G/IC”) : Total Area 0.03 ha

The planning intention of this zone is primarily to reflect the existing provision of Government, institution or community facilities. The major existing GIC facilities under this zone include a single storey sewage pumping station, a permanent flushing toilet and a single storey refuse collection point at the southern part of the Area.

5.3 “Green Belt” (“GB”) : Total Area 24.51 ha

The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features. There is a general presumption against development within this zone. Areas with natural vegetation, woodlands, hilly terrain, shrublands, grasslands, and stream courses have been designated as “GB” so as to protect existing green areas and preserve the hilly terrain in the Area. Besides, “GB” zone also covers the EIS and the adjacent river branch feed the surrounding low-lying fallow agricultural land with freshwater, creating a vast natural marsh in the northern and western side of the Area together with two pieces of permitted burial ground at the eastern of the Area, and at fringes of the southern part of the planning scheme boundaries.

5.4 “Coastal Protection Area” (“CPA”) : Total Area 5.93 ha

This zone is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion. There is a general presumption against development in this zone. This zone covers backshore and coastal vegetation in the western part of the Area along the coastal area and the estuarine area so as to reflect and protect the natural coastal environment in the Area.

6. PLAN PUBLICATION

Pursuant to section 5 of the Ordinance, the draft Plan prepared by the Board is exhibited for public inspection for a period of two months from 24 April 2015 to 24 June 2015. Any person may make representation to the Board with the following details :-

Address : The Secretary, Town Planning Board, 15th Floor, North Point Government Offices, 333 Java Road, North Point, Hong Kong

Website : tpbpd@pland.gov.hk

7. LOCAL CONSULTATION

Sai Kung North Rural Committee has been consulted on the draft OZP on 4 May 2015.

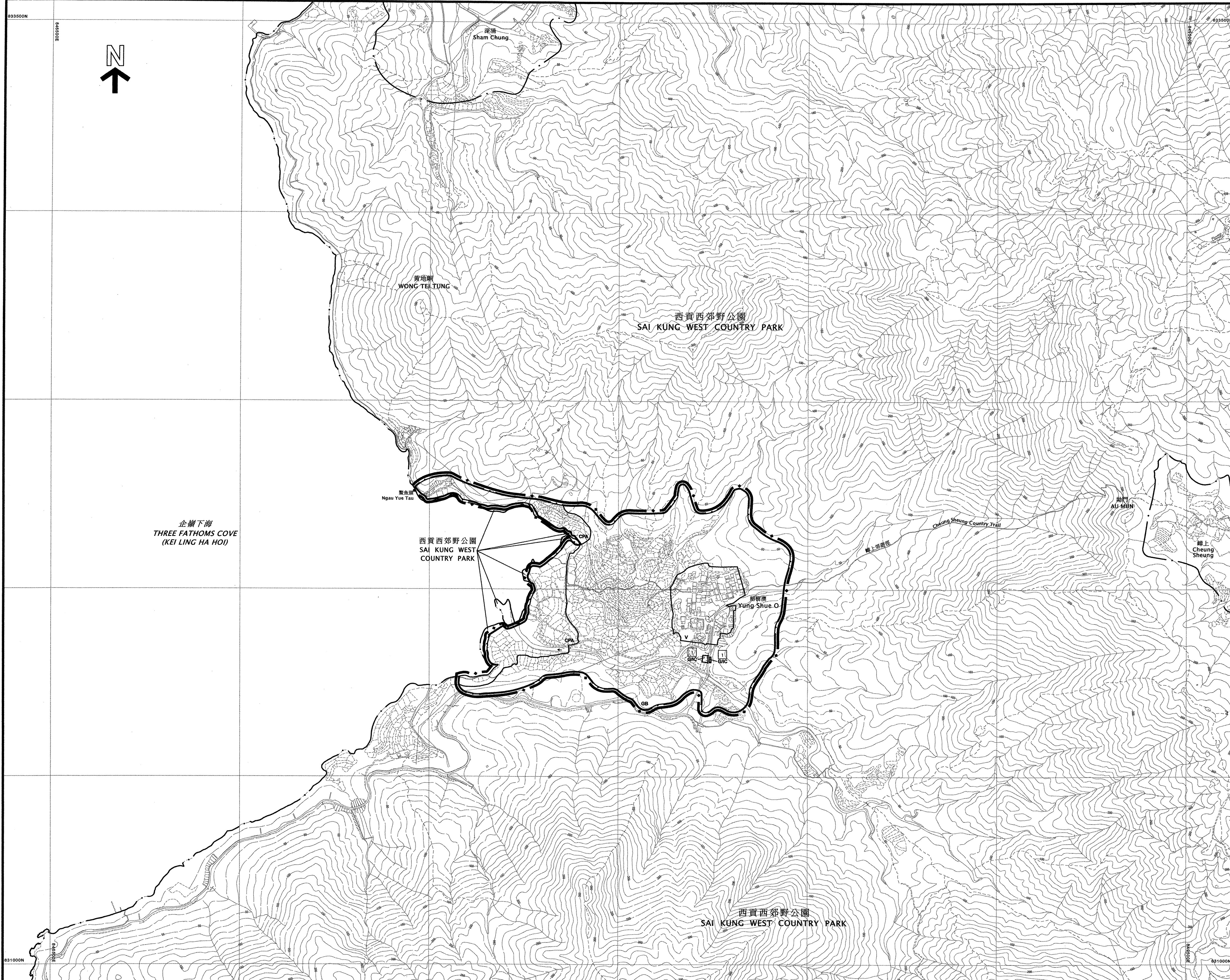
8. CONCLUSION

Members' views on the draft Yung Shue O Outline Zoning Plan No. S/NE-YSO/1 are cordially invited.

9. ENCLOSURES

Appendix I	Draft Yung Shue O Outline Zoning Plan No. S/NE-YSO/1
Appendix II	Notes of the Draft Yung Shue O Outline Zoning Plan No. S/NE-YSO/1
Appendix III	Explanatory Statement of the Draft Yung Shue O Outline Zoning Plan No. S/NE-YSO/1

**SHA TIN, TAI PO AND NORTH DISTRICT PLANNING OFFICE
PLANNING DEPARTMENT
MAY 2015**



圖例 NOTATION

ZONES		地帶
VILLAGE TYPE DEVELOPMENT	V	鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	G/IC	政府、機構或社區
GREEN BELT	GB	綠化地帶
COASTAL PROTECTION AREA	CPA	海岸保護區
MISCELLANEOUS		其他
BOUNDARY OF PLANNING SCHEME	— + —	規劃範圍界線
BOUNDARY OF COUNTRY PARK	— . —	郊野公園界線
MAXIMUM BUILDING HEIGHT (IN NUMBER OF STOREYS)	1	最高建築物高度 (樓層數目)

土地用途及面積一覽表 SCHEDULE OF USES AND AREAS

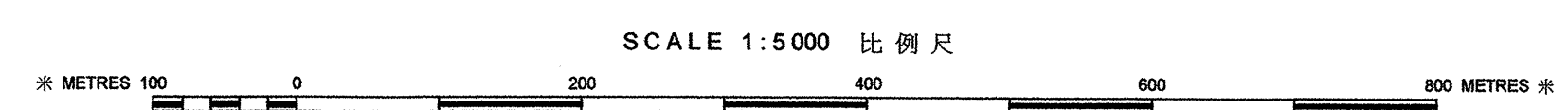
USES	大約面積及百分率 APPROXIMATE AREA & %		用途
	公頃 HECTARES	% 百分率	
VILLAGE TYPE DEVELOPMENT	3.25	9.64	鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	0.03	0.09	政府、機構或社區
GREEN BELT	24.51	72.68	綠化地帶
COASTAL PROTECTION AREA	5.93	17.59	海岸保護區
TOTAL PLANNING SCHEME AREA	33.72	100.00	規劃範圍總面積

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

2015年4月24日 按照城市規劃條例第5條展示的草圖
DRAFT PLAN EXHIBITED UNDER SECTION 5 OF THE TOWN PLANNING ORDINANCE ON 24 APRIL 2015

Raymond LEE
Raymond LEE 李啟榮
SECRETARY 城市規劃委員會秘書
TOWN PLANNING BOARD

香港城市規劃委員會依據城市規劃條例擬備的榕樹澳分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
YUNG SHUE O - OUTLINE ZONING PLAN



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

圖則編號
PLAN No. S/NE-YSO/1

DRAFT YUNG SHUE O OUTLINE ZONING PLAN NO. S/NE-YSO/1

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

NOTES

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

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

- (7) Alignment of roads and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.
- (8) The following uses or developments are always permitted on land falling within the boundaries of the Plan except (a) where the uses or developments are specified in Column 2 of the Notes of individual zones or (b) as provided in paragraph (9) in relation to areas zoned “Coastal Protection 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 “Coastal Protection 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 "Coastal Protection 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 "Coastal Protection 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 YUNG SHUE O OUTLINE ZONING PLAN NO. S/NE-YSO/1

Schedule of Uses

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GREEN BELT	5
COASTAL PROTECTION AREA	7

VILLAGE TYPE DEVELOPMENT

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use	Burial Ground
Government Use (Police Reporting Centre, Post Office only)	Eating Place
House (New Territories Exempted House only)	Flat
On-Farm Domestic Structure	Government Refuse Collection Point
Religious Institution (Ancestral Hall only)	Government Use (not elsewhere specified) #
Rural Committee/Village Office	Hotel (Holiday House only)
	House (not elsewhere specified)
	Institutional Use (not elsewhere specified) #
	Market
	Place of Recreation, Sports or Culture
	Private Club
	Public Clinic
	Public Convenience
	Public Transport Terminus or Station
	Public Utility Installation #
	Public Vehicle Park (excluding container vehicle)
	Religious Institution (not elsewhere specified) #
	Residential Institution #
	School #
	Shop and Services
	Social Welfare Facility #
	Utility Installation for Private Project

In addition, the following uses are always permitted on the ground floor of a New Territories Exempted House:

Eating Place
Library
School
Shop and Services

(Please see next page)

VILLAGE TYPE DEVELOPMENT (Cont'd)Planning Intention

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

Remarks

- (a) No new development, or addition, alteration and/or modification to or redevelopment of an existing building (except development or redevelopment to those annotated with #) shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23m) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, whichever is the greater.
- (b) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (c) Any diversion of streams or filling of pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

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 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.

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 Rural Committee/Village Office

(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
	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.

COASTAL PROTECTION 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 Wild Animals Protection Area	Field Study/Education/Visitor Centre Government Use 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 conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion.

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)

COASTAL PROTECTION 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 YUNG SHUE O OUTLINE ZONING PLAN NO. S/NE-YSO/1

EXPLANATORY STATEMENT

DRAFT YUNG SHUE O OUTLINE ZONING PLAN NO. S/NE-YSO/1

EXPLANATORY STATEMENT

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DRAFT YUNG SHUE O OUTLINE ZONING PLAN NO. S/NE-YSO/1

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

EXPLANATORY STATEMENT

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

1. INTRODUCTION

This Explanatory Statement is intended to assist an understanding of the draft Yung Shue O Outline Zoning Plan (OZP) No. S/NE-YSO/1. It reflects the planning intention and objectives of the Town Planning Board (the Board) for various land-use zonings of the plan.

2. AUTHORITY FOR THE PLAN AND PROCEDURE

- 2.1 On 14 July 2011, under the power delegated by the Chief Executive (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 Yung Shue O area.
- 2.2 On 4 May 2012, the draft Yung Shue O DPA Plan No. DPA/NE-YSO/1 was exhibited for public inspection under section 5 of the Ordinance. During the DPA Plan exhibition period, a total of 35 representations and two comments were received. After giving consideration to the representations and comments on 4 January 2013, the Board decided not to propose any amendment to the draft DPA plan to meet the representations.
- 2.3 On 30 April 2013, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Yung Shue O DPA Plan, which was subsequently renumbered as DPA/NE-YSO/2. On 10 May 2013, the approved Yung Shue O DPA Plan No. DPA/NE-YSO/2 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.4 On 16 October 2014, under the power delegated by the CE, SDEV directed the Board, under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the Yung Shue O area.
- 2.5 On 24 April 2015, the draft Yung Shue O OZP No. S/NE-YSO/1 (the Plan) was exhibited for public inspection under section 5 of the Ordinance.

3. OBJECT OF THE PLAN

- 3.1 The object of the Plan is to indicate the broad land-use zonings for the area of Yung Shue O so that development and redevelopment within the area of Yung Shue 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 an area of 33.72 ha, is located at the western end of the Sai Kung Peninsula, with Sai Kung West Country Park surrounding it on the north, east and south, and Three Fathoms Cove lying to its west where numerous fish farms are located. The boundary of the Area is shown by a heavy broken line on the Plan.
- 5.2 The Area comprises mainly woodlands, shrublands, grasslands, marshes, mangroves, streams, and inhabited village houses. Steep slopes covered with woodland vegetation are found at the back of the village. While the rest of the Yung Shue O valley is relatively flat, a piece of land at the upper level of the valley has been developed as Yung Shue O Village, which is the only recognized village in the Area. A large piece of land contains fallow agricultural land in the middle of the Area at a lower level of the valley extending to the coast. At the western-most part of the Area, estuaries, mangroves and marshes are found along the coastal area. An ecologically important stream (EIS) flowing from an east to west direction lies in the southern part of the Area. The Area is a Priority Site for Enhanced Conservation under the New Nature Conservation Policy

- 5.3 The Area is accessible mainly by the paved single-lane vehicular access road branching off from Sai Sha Road and this access is a restricted road. The Area is also accessible by hiking trails leading from Cheung Sheung, Pak Tam Chung and Sham Chung. It has a marine frontage but there is no pier facility. Two pieces of burial grounds are found at the north-eastern part and southern part of the Area.
- 5.4 Yung Shue O Village is well populated and some of the village houses are newly built or under construction. Apart from a vacant school premises at the northern part of the village cluster, there are local convenient stores, built with temporary structures, selling snack, drinks and food operated at the entrance of Yung Shue O Village and in the north-western end of the Area in particular during weekends and public holiday. Some areas along the EIS near the coastal area are being used for war game. There is a sewage pumping station at the southern-end of the Area. The existing sewage treatment facilities (i.e. soakaway trenches and sewage pumping station) are provided for existing Yung Shue O village houses.

6. POPULATION

According to the 2011 Census, the total population of the Area was about 320 persons. It is expected that the total planned population of the Area would be about 810 persons mainly attributed to village expansion.

7. OPPORTUNITIES AND CONSTRAINTS

7.1 Opportunities

7.1.1 Conservation and Natural Landscape

The Area is surrounded by Sai Kung West Country Park and Three Fathoms Cove, and comprises mainly woodlands, shrublands, grasslands, marshes, mangroves, and streams including an EIS. The natural habitats including the woodland and the streams provide a good habitat for butterflies and over half of the local butterfly species are recorded in the Area. Protected plant species have been found in the Area, particularly at the periphery of the woodland which is ecologically-linked to Sai Kung West Country Park, and in the freshwater marsh near the coastal area. The Yung Shue O EIS flowing from east to west direction lies in the southern part of the Area. The estuarine habitat supports a high diversity of freshwater fish, and it serves as a breeding, feeding and nursery ground for brackish and marine fish vagrants. In general, the Area is natural and rural in character and has high ecological, landscape and scenic value.

7.1.2 Tourism Potential

The Area is the starting point of both Cheung Sheung Country Trail which is a favourite hiking trail amongst hikers and campers and Yung Pak Corridor. The part of Cheung Sheung Country Trail connecting Yung Shue O and Cheung Sheung is named Jacob's Ladder (“嶂上天梯”) by hikers for its long and steep flight of steps. The Area can connect to hiking trails leading from Sham Chung. A mountain bike trail in Sai Kung West Country Park designated by the Agriculture, Fisheries and Conservation Department (AFCD) passes by the Area and connects to Pak Tam Chung, Pak Tam, Sham Chung and Pak Sha O.

7.2 Constraints

7.2.1 Ecological Significance

7.2.1.1 The Area contains a mixture of habitats and natural resources worthy of preservation, including estuaries, mangroves and marshes along the coastal area. Natural streams flow across the Area. An EIS flowing from an east to west direction lies in the southern part of the Area. The estuarine habitat supports a high diversity of freshwater fish, and it serves as a breeding, feeding and nursery ground for brackish and marine fish vagrants. Seven species of mangrove including the uncommon *Heritiera littoralis* (銀葉樹) have also been recorded.

7.2.1.2 The wooded area is ecologically-linked to the natural habitats at Sai Kung West Country Park. Protected plant species including *Aquilaria sinensis* (土沉香), *Pavetta hongkongensis* (香港大沙葉) and *Cibotium barometz* (金毛狗) have been recorded. Other protected plant species include *Liparis ferruginea* (鏽色羊耳蒜) and was found in the freshwater marsh near the coastal area. The natural habitats including the woodland and the streams provide a good habitat for butterflies. Rare and very rare butterfly species like *Aeromachus pygmaeus* (侏儒鏢弄蝶), *Aeromachus jhora* (寬鏢弄蝶) and *Moduza procris* (穆蛺蝶) and a population of the vulnerable dragonfly *Orthetrum poecilops poecilops* (斑灰蜻) were recorded in the Area.

7.2.2 Landscape Character

With reference to the “Landscape Value Mapping of Hong Kong”, the Area is characterized by a settled valley landscape comprising a wide and flat rolling valley of high qualified and scenic landscape value. The mangroves and mudflat along the coastal area, the vast freshwater marsh and the woodland are valuable landscape resources and provide natural scenic views with high amenity value to hikers at the Cheung Sheung plateau and from mountains surrounding the Yung Shue O valley.

7.2.3 Cultural Heritage

Yung Shue O Site of Archaeological Interest falls within the Area. Ceramic sherds of the Song, Ming and Qing dynasties were found by the Second Territory-wide Survey in 1997-98. The site of archaeological interest is worthy of preservation. Prior consultation with the Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department (LCSD) should be made if any development, redevelopment or rezoning proposals might affect the above site of archaeological interest and its immediate environs.

7.2.4 Burial Grounds

The Area comprises two pieces of permitted burial ground at the eastern of the Area, and at the fringes of the southern part of the planning scheme boundaries. These areas are not suitable for any development.

7.2.5 Transportation

The Area is accessible mainly by the paved vehicular access road branching off from Sai Sha Road. However, this access is a single-lane restricted road as it is largely located within Sai Kung West Country Park and valid vehicle permits issued by the Country and Marine Parks Authority are required. It is under the maintenance of the Water Supplies Department (WSD). Only taxi and vehicles with permit can access the road. The Area is also accessible by hiking trails leading from Cheung Sheung, Pak Tam Chung and Sham Chung.

7.2.6 Infrastructure and Utility Services

The Area is provided with electricity and telephone services. Potable water supply and public sewerage and sewage treatment facilities (i.e. soakaway trenches and pumping station) have been provided to the existing facilities and the existing village houses of the Area. However, there are currently no plans to provide sewerage for areas outside of the existing village clusters. Besides, there are no existing and planned public stormwater drainage facilities for the Area.

7.2.7 Geotechnical Constraint

The Area is located below steep natural terrain and may be affected by potential natural terrain landslide hazards. For future development in the Area, natural terrain hazard studies may be required to ascertain the scale of the hazards and to provide suitable hazard mitigation measures, if found necessary, as part of the development.

8. GENERAL PLANNING INTENTION

- 8.1 The Area forms an integral part of the natural system of the adjoining Sai Kung West Country Park with a wide spectrum of natural habitats including, inter alia, woodlands, shrublands, stream courses, and estuaries etc., which support protected plant species and should be preserved and protected. Besides, the Area also provides a good habitat for butterflies and over half of the local butterfly species are recorded in the Area. The general planning intention of the Area is to protect its high conservation and landscape value which complements the overall naturalness and the landscape beauty of the surrounding Sai Kung West Country Park.
- 8.2 Given the natural environment and the high ecological and landscape value of the Area, it is also intended to consolidate village development so as to avoid undesirable disturbances to the natural environment and rural settings in the Area.

9. LAND-USE ZONINGS

- 9.1 “Village Type Development” (“V”) : Total Area 3.25 ha
- 9.1.1 The planning intention of this zone is to designate both the existing recognized village and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Board.
- 9.1.2 The boundaries of the “V” zone are drawn up having regard to the village ‘environ’, the number of outstanding Small House applications, Small House demand forecast, local topography and site constraints. Areas of difficult terrain, dense vegetation, stream courses and burial grounds have been avoided as far as possible. Yung Shue O Village is the only recognized village in the Area.
- 9.1.3 No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23 m) or the height of the building which was in existence on the date of first publication in the Gazette of the notice of the draft DPA plan, whichever is the greater. Application for minor relaxation of these restrictions would be considered by the Board based on individual merits, taking into account site constraints, innovative architectural design and planning merits that would enhance the amenity of the locality.

- 9.1.4 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 except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works.
- 9.1.5 In accordance with the Environment, Transport and Works Bureau's Technical Circular (Works) No. 5/2005 "*Protection of Natural Streams/Rivers from Adverse Impacts Arising from Construction Works*", under the current administrative practice, development proposals/submissions that may affect natural streams/rivers, the approving/processing authorities at various stages of the development should consult and collate comments from 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, the Environmental Protection Department (EPD) and the Planning Department (PlanD) to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.
- 9.1.6 Although public sewerage and sewage treatment facility (i.e. soakaway trenches) have been provided to the existing facilities and village clusters in the Area, there are currently no plans to provide sewerage for areas outside of the existing village clusters. According to EPD, wastewater generated from existing and future Small Houses should be properly treated for disposal in compliance with the Water Protection Control Ordinance (WPCO) requirement and conveyed to the communal sewerage system (i.e. soakaway trenches) at Yung Shue O Village as far as possible. Should on-site septic tank and soakaway (STS) systems be explored, the design and construction of on-site STS systems for any development proposals/submissions need to comply with relevant standards and regulations, such as the EPD's Practice Note for Professional Person (ProPECC PN) 5/93 "*Drainage Plans subject to Comment by the Environmental Protection Department*". Operation and maintenance practices for septic tank (e.g. desludging practices) are also given in the EPD's "Guidance Notes on Discharges from Village Houses".
- 9.1.7 The "V" zone in the Area is located below steep natural terrain and may be affected by potential natural terrain landslide hazards. For development within the Area, the developer(s) may be required to carry out the natural terrain hazard study and to provide suitable hazard mitigation measures, if found necessary, as part of the development.
- 9.2 "Government, Institution or Community" ("G/IC") : Total Area 0.03 ha
- 9.2.1 The planning intention of this zone is primarily for the provision of Government, institution or community (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.

- 9.2.2 The major existing GIC facilities under this zone include a single storey sewage pumping station, a permanent flushing toilet and a single storey refuse collection point at the southern part of the Area.
- 9.2.3 To preserve the rural and low-rise character of the Area as well as to provide spatial and visual relief, development/redevelopment within this zone should be restricted to a maximum building height as stipulated on the Plan (i.e. one storey for the sewage pumping station, the permanent flushing toilet and the refuse collection point) 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 greater.
- 9.2.4 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 application will be considered on its individual planning merits.

9.3 “Green Belt” (“GB”) : Total Area 24.51 ha

- 9.3.1 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.
- 9.3.2 Protected species including *Aquilaria sinensis* (土沉香), *Pavetta hongkongensis* (香港大沙葉) and *Cibotium barometz* (金毛狗), are found particularly at the periphery of the woodland. Mature trees such as *Heritiera littoralis* (銀葉樹), *Cleistocalyx nervosum* (水翁), *Pandanus tectorius* (露兜樹), *Glochidion zeylanicum* (香港算盤子) and *Celtis sinensis* (朴樹) are dominated along the stream bank of the EIS at the southern part of the Area.
- 9.3.3 A large piece of the fallow agricultural land in the middle of the Area was colonized with dense vegetation such as *Uvaria grandiflora* (大花紫玉盤), *Garcinia oblongifolia* (黃牙果) and *Ardisia quinqueгона* (羅傘樹). Trees from medium to large size (8-12m) such as *Viburnum odoratissimum* (珊瑚樹), *Cleistocalyx nervosum* (水翁) and *Pandanus tectorius* (露兜樹) are common along the stream bank. Some *Aquilaria sinensis* (土沉香) are occasionally found along the path.
- 9.3.4 Areas with natural vegetation, woodlands, hilly terrain, shrublands, grasslands, and stream courses have been designated as “GB” so as to protect existing green areas and preserve the hilly terrain in the Area. Besides, the EIS and the adjacent river branch feed the surrounding low-lying fallow agricultural land with freshwater, creating a vast natural marsh in the northern and western side of the Area. The vast freshwater

marsh and the woodland are valuable landscape resources and provide natural scenic views with high amenity value in the Area.

- 9.3.5 The “GB” zone also comprises two pieces of permitted burial ground at the eastern part of the Area, and at fringes of the southern part of the planning scheme boundaries. They have been in existence for many years, which are considered as existing uses and intended for burial places of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities within these zones are generally tolerated.
- 9.3.6 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.
- 9.3.7 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.

9.4 Coastal Protection Area (“CPA”): Total Area 5.93 ha

- 9.4.1 This zone is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion. 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.
- 9.4.2 Backshore and coastal vegetation, including *Cyperus malaccensis* var. *brevifolius* (短葉茳芏), *Juncus effuses* (燈心草), *Phragmites* spp (蘆葦), *Hibiscus tiliaceus* (黃槿) and *Pandanus tectorius* (露兜樹), can be found in the western part of the Area along the coastal area and the estuarine area where some war game fields are located. There are also mangroves which are mostly outside, but adjoining the Area. The estuarine habitat supports a high diversity of freshwater fish, and it serves as a breeding, feeding and nursery ground for brackish and marine fish vagrants. Seven species of mangrove including the uncommon *Heritiera littoralis* (銀葉樹) have also been recorded. There is also a freshwater marsh supporting the protected *Liparis ferruginea* (鏽色羊耳蒜) which has a limited local distribution. The backshore and coastal areas are designated as “CPA” so as to reflect and protect the natural coastal environment in the Area, in particular the mangroves adjoining the Area and the estuarine area.

- 9.4.3 New residential development is not permitted under this zone. Redevelopment of existing houses may be permitted on application to the Board. The redevelopment of existing houses shall not result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication of the DPA Plan.
- 9.4.4 Diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activities.

10. CULTURAL HERITAGE

Yung Shue O Site of Archaeological Interest falls within the Area. Ceramic sherds of the Song, Ming and Qing dynasties were found by the Second Territory-wide Survey in 1997-98. The site of archaeological interest is worthy of preservation. Prior consultation with AMO of LCSD should be made if any development, redevelopment or rezoning proposals might affect the above site of archaeological interest and its immediate environs.

11. COMMUNICATIONS

Transport Network

The Area is accessible mainly by the paved single-lane vehicular access road branching off from Sai Sha Road. This access is a restricted road as it is largely located within Sai Kung West Country Park and valid vehicle permits issued by the Country and Marine Parks Authority are required. It is under the maintenance of WSD. Only taxi and vehicles with permit can access the road. The Area is also accessible by hiking trails leading from Cheung Sheung, Pak Tam Chung and Sham Chung. It has a marine frontage but there is no pier facility.

12. UTILITY SERVICES

The Area is provided with electricity and telephone services. Potable water supply and public sewers have been provided to the existing facilities and village houses in the areas. However, there are no drainage systems. There is a sewage pumping station at the southern-end of the Area. The sewage from existing village houses in Yung Shue O flows to the sewage treatment facilities (i.e. soakaway trenches and the pumping station) being maintained by the Drainage Services Department. According to the Director of Environmental Protection, the existing sewage treatment facility (i.e. soakaway trenches and sewage pumping station) is provided solely for existing Yung Shue O village houses, but there are currently no plans to provide sewerage for areas outside of the existing village clusters. Besides, there are no existing and planned public stormwater drainage facilities for the Area. Any increase in population or number of visitors to the Area or further recreation/residential developments will require additional facilities.

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 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 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 “CPA”.

**TOWN PLANNING BOARD
APRIL 2015**