

CONFIDENTIAL

[downgraded on 30.11.2012]

**Minutes of 1023rd Meeting of the
Town Planning Board held on 16.11.2012**

Sai Kung and Islands

Agenda Item 7

[Confidential Item. Closed Meeting.]

Consideration of the Draft Yi O Development Permission Area Plan

(TPB Paper No. 9226)

[The meeting was conducted in Cantonese.]

1. The Chairman invited Mr. Ivan Chung, District Planning Officer/Sai Kung and Islands (DPO/SKIs) to brief Members on the Paper.

2. With the aid of a powerpoint presentation, DPO/SKIs made the following main points as detailed in the Paper:
 - (a) the Board was invited to consider a new Development Permission Area (DPA) Plan for Yi O;

Location and Local Characteristics

- (b) Yi O and a site at Nga Ying Kok (the Area) were located to the south-west of Tai O on Lantau Island;

- (c) Yi O (about 23.05 ha) was a country park enclave entirely surrounded by the Lantau North and Lantau South Country Parks. Fronting onto the bay of Yi O, Yi O comprised a stretch of coastal slopes covered by natural vegetation at the toe of mountain ranges and hills extending from the country parks;

- (d) the site at Nga Ying Kok (about 0.29 hectares), which was about 500m from the northern boundary of Yi O, was enclosed by the Lantau North Country Park on the east, south and west. Part of site was an orchard and part was a pigsty which was now abandoned and ruined. The site was not covered by any statutory plan. According to the Director of Agriculture, Fisheries and Conservation (DAFC), there was no plan to include this site into the country park boundary;

Revised Concept Plan for Lantau

- (e) according to the “Revised Concept Plan for Lantau” (2007), the Area fell within a ‘Landscape Protection Area’ and should be protected, and new developments would be permissible only if due respect had been given to the tranquil environment and the natural landscape setting;

Need for Statutory Plan

- (f) the Area was one of the Country Park enclaves that needed to be covered by a statutory plan in accordance with the Chief Executive’s 2010-2011 Policy Address;
- (g) in addition, there had been recent complaints about tree felling, vegetation clearance and excavation activities in the Area;
- (h) in order to protect and conserve the existing and natural environment of the Area and to prevent haphazard and uncontrolled developments and associated engineering works, it was necessary to prepare a DPA plan for the Area to ensure proper planning control and enforcement;
- (i) on 8.11.2012, under the power delegated by the Chief Executive, the Secretary for Development directed the Board, under section 3(1)(b) of the Ordinance, to prepare a draft plan designating Yi O and Nga Ying Kok as a DPA;

The Plan Area

Existing Land Uses

- (j) the Plan covered an area of about 23.34 ha. The Area was rural in character and mainly covered by natural vegetation. There were a few abandoned dilapidated houses and ruins within Yi O San Tsuen. The agricultural land in the Area was mainly covered by shrubs and weeds;
- (k) the Area was in a rural and scenic setting, with heavily wooded slopes which were covered by dense vegetation with character similar to that of the adjoining Lantau North and Lantau South Country Parks;
- (l) according to DAFC, these woodlands together with the streams nearby were important habitats for the protected Romer's Tree Frogs (*Liuixalus romeri* 盧氏小樹蛙) which had been recorded in Yi O. The wooded areas at the periphery of the Area formed a continuous stretch of well established vegetation with those located at the adjacent Lantau North and South Country Parks, which were foraging and nursery grounds for mammals and butterflies. Floral species of the Area were mostly common and widespread. A protected species *Aquilaria sinensis* (土沉香) could be found in the Area. At the estuarine area of Yi O was a mature mangrove stand. Low-lying areas adjacent to the sea were occupied by inter-tidal water ponds, marshes, estuarine mangroves and reed-bed;

Excavation and Vegetation Clearance Activities

- (m) tree felling, vegetation clearance and excavation activities had been found in the Area. The natural and scenic character of the Area had been damaged, affecting the well-established vegetation therein;

Recognized Village

- (n) Yi O San Tsuen was a recognized village in the Area. All the village houses were either ruined or abandoned;

Land Ownership

- (o) the majority of the land in the Area (about 70.52%, 16.46 ha) was government land. The remaining 29.48% (6.88 ha) was under private ownership comprising agricultural land (about 6.81 ha) and building lots (about 755m²);

Transport and Accessibility

- (p) the Area was not served by any vehicular access but could be accessed by a walking trail (i.e. Lantau Trail) mainly along the coast connecting to Tai O in the north and Fan Lau in the south. With a sub-standard jetty, Yi O could also be accessible by boat from the nearby Tai O and Fan Lau during high tide. The Lantau Trail which partially lied within the Area was a popular hiking trail;

Cultural Heritage

- (q) the Yi O Site of Archaeological Interest and Yi O–Fan Lau Boulder Trackway were sites of archaeological interest that were worthy of preservation;
- (r) if any development, redevelopment or rezoning proposal might affect the above sites of archaeological interest and their immediate environs, prior consultation should be made with the Antiquities and Monuments Office of the Leisure and Cultural Services Department;
- (s) if disturbance of these sites of archaeological interest and sites of archaeological potential was unavoidable, a detailed Archaeological Impact Assessment conducted by an archaeologist was required for development works within the sites;

Geotechnical Safety

- (t) the Area, especially those located near the DPA boundary, was located below steep natural terrain and might be affected by potential natural terrain landslide hazards. For developments within the Area, natural terrain hazard studies might be required to ascertain the scale of the hazards and to provide suitable hazard mitigation measures, if found necessary, as part of the developments;

Land Use Proposals in the DPA Plan

General Planning Intention

- (u) the general planning intention of the Area was to protect its high conservation and landscape value and the rural setting which complemented the overall natural landscape of the surrounding Country Parks, and to reflect the existing village in Yi O;

Village Type Development (“V”): Total Area 0.19 ha

- (v) the planning intention of this zone was to reflect existing village settlement. The recognized village of Yi O was abandoned with no population record in the 2011 Census;
- (w) the boundaries of the “V” zone were drawn up provisionally having regard to existing village clusters and building structures, village environs (‘VE’), approved Small House applications, outstanding Small House application, building lots, local topography, natural characteristics and existing site conditions. Areas of difficult terrain, dense vegetation, burial grounds, ecologically sensitive areas and stream courses had been avoided where possible;
- (x) the boundaries of the “V” zone would be further reviewed and defined during the preparation of outline zoning plan (OZP) to take account of the

results of relevant assessments/studies on various aspects including Small House demand and developments, conservation value, the environment, infrastructure, landscape character, etc;

- (y) as diversion of streams or filling of pond might cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board was required for such activity;

Unspecified Use: Total Area 23.15 ha

- (z) the Area, comprising mainly fallow agricultural land, mangrove, woodland, shrubland, grassland, and watercourses, had high scenic value forming part of the wider natural system of Lantau Island countryside. To protect the natural and landscape character of the Area, planning guidance and development control were considered necessary;
- (aa) owing to the urgency to establish planning control under the DPA plan, the Area, except land within the “V” zone, had been designated as “Unspecified Use” area pending detailed analysis and studies to establish the appropriate land uses in the course of preparation of the OZP to replace the DPA Plan in three years’ time;
- (bb) as diversion of streams, filling of land/pond or excavation activities might cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board was required for such activity;

Consultation

- (cc) the draft DPA Plan together with the Notes and Explanatory Statement had been circulated to the relevant government bureaux and departments for comments. Generally, no adverse comment/objection had been received. Comments received had been incorporated into the draft DPA plan, its Notes or ES, wherever appropriate; and

(dd) the Islands District Council (IDC) and the Tai O Rural Committee (TORC) had not been consulted due to the confidential nature of the plan. However, the IDC and TORC would be consulted separately on the draft DPA Plan after its publication under section 5 of the Ordinance.

3. The Chairman then invited questions from Members. A Member asked why the archaeological site, Yi O Kau Tsuen and the burial grounds were not included in the planning scheme boundary of the DPA Plan. In response, Mr. Ivan Chung (DPO/SKIs) said that these areas all fell within the boundaries of the country park and would be controlled by the Country Parks Ordinance under the purview of the DAFC. The purpose of the DPA Plan was to put the Area, which was a country park enclave, under statutory planning control. If developments were to be proposed in Yi O Kau Tsuen in future, they would be processed under the provisions of the Country Parks Ordinance. Currently, there were some dilapidated and unpopulated houses in Yi O Kau Tsuen and DLO had advised that there was no 'VE' for Yi O Kau Tsuen.

4. A Member asked about the rationale for drawing up the "V" zone, which appeared to be much smaller than the 'VE'. Mr. Ivan Chung replied that the 'VE' was drawn up by District Lands Office in accordance with the '300-feet from the last house' rule which was a land administration matter. The "V" zone was drawn up based on planning considerations and the currently proposed "V" zone mainly reflected the existing house structures, and areas with dense vegetation and slopes were excluded. The DPA Plan was a transitional plan and it would be replaced by an OZP in three years' time. In preparing the OZP, the "V" zone would be reviewed in consultation with local residents taking into account the site circumstances.

5. A Member asked about the criteria for delineating the planning scheme boundary along the coastline with mudflat and stream outlets. Mr. Ivan Chung said that in accordance with the Board's practice, the high water mark was adopted to delineate the boundary along the coastline. Another Member said that from the aerial photo (Plan 3 of the Paper), it appeared that there was a piece of land not covered by the DPA plan. Mr. Ivan Chung said that that piece of land was not covered by the DPA plan as it was below the high water mark and was only above the water level during low tides. Nevertheless, the coastline areas, mainly with mudflats and mangroves, were located on

government land and there were existing mechanisms to enforce any unauthorized developments.

6. In response to a Member's question, Mr. Ivan Chung said that from previous site visits, it was observed that the houses in Yi O were dilapidated and unpopulated. Nevertheless, Yi O still had a village representative. There were some previous Small House applications from Yi O indigenous villagers, but the applications were for building Small Houses in Tai O.

7. After deliberation, the Board agreed that:

- (a) the draft Yi O DPA Plan No. DPA/I-YO/C (to be renumbered to DPA/I-YO/1) and its Notes at Appendices I and II of the Paper respectively were suitable for exhibition for public inspection under section 5 of the Ordinance;
- (b) the ES in Appendix III of the Paper was suitable to serve as an expression of the planning intention and objectives of the Board for the draft Yi O DPA Plan and that the ES should be issued under the name of the Board;
and
- (c) briefings on the draft DPA Plan would be conducted for the IDC and TORC separately after its publication under section 5 of the Ordinance.

- Ends -