

CONFIDENTIAL

[downgraded on 28.3.2014]

**Minutes of 1054th Meeting of the
Town Planning Board held on 14.3.2014**

Sha Tin, Tai Po and North District

Agenda Item 6

Consideration of the Draft Ping Chau Development Permission Area Plan
No. DPA/NE-PC/B
(TPB Paper No. 9580)

[Closed meeting. The meeting was conducted in Cantonese.]

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

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| Mr C.K. Soh | - District Planning Officer/Shan Tin, Tai Po & North (DPO/STN), PlanD |
| Mr David Y.M. Ng | - Senior Town Planner/New Plans (STN) (STP/NP(STN)), PlanD |

2. The Chairman extended a welcome and invited the representatives of PlanD to brief Members on the Paper.

3. Members noted that a replacement page of the Paper was tabled at the meeting. With the aid of a Powerpoint presentation, Mr C.K. Soh, DPO/STN, briefed Members on the details of the draft Ping Chau Development Permission Area (DPA) Plan No. DPA/NE-PC/B as detailed in the Paper and covered the following main points:

Location and Physical Characteristics

- (a) the Ping Chau DPA (the Area), with an area of about 29 hectares,

covered part of Ping Chau Island in Mirs Bay, the easternmost outlying island of Hong Kong;

- (b) a large part of Ping Chau Island was included in the Plover Cove (Extension) Country Park and was surrounded by the Tung Ping Chau Marine Park designated in 2001 for its diverse coral communities and marine ecosystem;
- (c) Ping Chau Island was accessible by sea with a public pier located near Tai Tong at the northeastern part of the island. There was only one scheduled ferry service serving Ping Chau from Ma Liu Shui pier during weekends;
- (d) Ping Chau Island was designated as a Site of Special Scientific Interest (SSSI) in 1979. The island was included as one of the eight Geo-areas of the Hong Kong Global Geopark of China in 2011;
- (e) the Area was made up of three portions of land. The major portions mainly included a number of recognised villages, namely, Ping Chau Chau Mei, Ping Chau Tai Tong, Ping Chau Chau Tau and Ping Chau Sha Tau along the eastern coast. The other portion was made up of outcrops of sedimentary rocks with different wave-cut platforms at the western coast;
- (f) village settlements in the Area were largely abandoned and uninhabited. Most of the village houses had become ruins, particularly in Chau Mei and Chau Tau. Some village houses in Sha Tau and Tai Tong were in fair to good condition, and there were a few restaurants/provisions stores serving visitors during public holidays;

Need for Statutory Plan

- (g) the Chief Executive in the 2010-2011 Policy Address acknowledged the need to regulate land use of the Country Park enclaves to forestall human

damage. To meet conservation and social development needs, Country Park enclaves would be either included into Country Parks or covered by statutory plans;

- (h) the Area was one of the Country Park enclaves identified to be covered by a statutory plan. There was an urgent need to better protect the natural and unique landscape, and geological character of the Area so as to avoid disturbance to the natural environment;
- (i) on 17.2.2014, under the power delegated by the Chief Executive, the Secretary for Development directed the Board, under section 3(1)(b) of the Town Planning Ordinance (the Ordinance), to prepare a draft plan designating Ping Chau as a DPA. The DPA plan was a stopgap measure to provide planning guidance and development control for the Area pending preparation of an Outline Zoning Plan (OZP) and to enable enforcement actions to be taken against any unauthorised development to safeguard the Area's natural and landscape character;

Object of the Draft DPA Plan

- (j) the object of the draft DPA Plan was to delineate the extent of the Area and to set out the types of developments and uses which were permitted at all times and such types of development and uses that might be permitted with or without conditions on application to the Board within the boundaries of the Area;
- (k) the draft DPA Plan was to provide planning guidance and to facilitate development control within the Area during the period required for detailed analysis of the land use pattern, study of infrastructural provisions and examination of development options for the formulation of an OZP. The draft DPA plan would be replaced by an OZP within three years;

The Area

Existing Land Uses

- (1) the Area covered an area of about 29 hectares including about 5.54 hectares (19%) of private land. According to the 2011 Census, the total population of the Area was about 70 persons. The existing land uses mainly included the following:

Recognised Villages

- (i) there were four recognised villages, namely Ping Chau Chau Mei, Ping Chau Tai Tong, Ping Chau Chau Tau and Ping Chau Sha Tau. According to the District Lands Office/Tai Po, Lands Department, the numbers of outstanding Small House applications for Ping Chau Chau Mei, Ping Chau Tai Tong, Ping Chau Chau Tau and Ping Chau Sha Tau were 2, 14, 2 and 8 respectively. There were no approved Small House applications. The 10-year forecast of Small House demand for Ping Chau Tai Tong was 600 while no such demand for Ping Chau Chau Mei, Ping Chau Chau Tau and Ping Chau Sha Tau had been provided by the concerned Indigenous Inhabitant Representatives;

Natural Environment

- (ii) the plant species dominated in the enclave at Au Kung Shan were *Acacia confuse* (臺灣相思), a common exotic species, and *Dimocarpus longan* (龍眼). The dominant tree species in the enclave at Chau Mei, Tai Tong, Chau Tau and Sha Tau were mostly common species, like *Dimocarpus longan* and *Celtis sinensis* (朴樹);
- (iii) the geology of Ping Chau Island was of special interest. It had the youngest rocks in Hong Kong which were about 55 million years old making a complete geological history of Hong Kong. Their peculiar formations were composed of fossils layers of siltstone, forming a unique sedimentary rock landscape with various wave abrasion landforms along the coastline;

- (iv) Ping Chau Island fell within the Tung Ping Chau Geo-area of the Hong Kong Global Geopark of China with a large part of it designated as Plover Cove (Extension) Country Park. It was a famous destination for leisure travel and geological studies. Ping Chau Country Trail ran along the periphery of the island and some sections of it fell within the Area at Chau Mei, Tai Tong and Sha Tau; and

Others

- (v) the Ping Chau Management Centre of the Agriculture, Fisheries and Conservation Department was located at Chau Tau. Other government, institution and community facilities in the Area included Ping Chau Police Station and Marine Department Vessel Traffic Service System (East Ping Chau Radar Station) which were located at Tai Tong;

Cultural Heritage Interest

- (m) graded historic buildings included Tin Hau Temple in Ping Chau Sha Tau, the Old House in Ping Chau Chau Mei and Tam Tai Sin Temple in Ping Chau Sha Tau, which were Grade 3 historic buildings;

Transport and Accessibility

- (n) Ping Chau Island was only accessible by sea with a public pier located near Tai Tong with some existing footpaths on the island;

General Planning Intention

- (o) the general planning intention of the Area was to conserve the areas of high landscape and geological significance, to protect its unique landscape characters and to maintain the rural and natural character of the Area. The planning intention was also to reflect the existing recognised villages of Tung Ping Chau, namely Ping Chau Chau Mei,

Ping Chau Tai Tong, Ping Chau Chau Tau and Ping Chau Sha Tau;

Land Use Proposals

Village Type Development (“V”) zone (2.15 hectares)

- (p) there were four existing recognised villages, namely Ping Chau Chau Mei, Ping Chau Tai Tong, Ping Chau Chau Tau and Ping Chau Sha Tau, on the island. In order to reflect the existing village clusters and settlements which were mainly concentrated in the eastern part of the Area, the village clusters were proposed to be zoned “V”;
- (q) the boundaries of “V” zones were drawn up provisionally around existing village clusters and building structures and having regard to approved Small House applications and existing ground features. The boundaries would be further reviewed and defined during the preparation of 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.;

“Unspecified Use” area (26.76 hectares)

- (r) the Area was part of the Ping Chau SSSI, and had unique landscape and geology, forming part of the wider natural environment of Plover Cove Country Park. To protect the natural and unique landscape and geological character of the Area, planning guidance and development control were considered necessary;
- (s) owing to the urgency to establish planning control under the DPA plan, the Area, except the land within the “V” zone, was designated as “Unspecified Use” pending detailed analysis and studies to establish the appropriate land uses in the course of the preparation of OZP; and

Consultation

- (t) the draft DPA Plan together with the Notes and Explanatory Statement (ES) had been circulated to the relevant Government bureaux and departments for comments. Comments received had been incorporated, as appropriate. The Tai Po District Council (TPDC) and Sai Kung North Rural Committee (SKNRC) would be consulted after the publication of the draft DPA Plan.

4. Members generally agreed that there was an urgent need to better protect the natural and landscape character of the Area given its special geological interest. The DPA Plan would provide interim planning guidance and development control and enable planning enforcement to be taken against any unauthorised development. As a general practice, the Secretariat of the Board would undertake detailed checking and refinement of the draft DPA Plan including the Notes and ES, if appropriate, before its publication under the Ordinance. Any major revision would be submitted for the Board's consideration.

5. After deliberation, the Board agreed that:

- (a) the draft Ping Chau DPA Plan No. DPA/NE-PC/B (to be renumbered to DPA/NE-PC/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 at Appendix III of the Paper was suitable to serve as an expression of the planning intention and objectives of the Board for the draft Ping Chau DPA Plan and that the ES should be issued under the name of the Board; and
- (c) consultation on the draft Ping Chau DPA Plan would be conducted for TPDC and SKNRC after its publication under section 5 of the Ordinance.

Sai Kung & Islands District

Agenda Item 7

Consideration of the Draft Tai Ho Development Permission Area Plan No. DPA/I-TH/E
(TPB Paper No. 9579)

[Closed meeting. The meeting was conducted in Cantonese.]

6. Mr Ivan M.K. Chung, District Planning Officer/Sai Kung & Islands, Planning Department (DPO/SKIs, PlanD), was invited to the meeting at this point.
7. The Chairman extended a welcome and invited DPO/SKIs to brief Members on the Paper.
8. Members noted that replacement pages of the Paper were tabled at the meeting. With the aid of a Powerpoint presentation, Mr Ivan Chung briefed Members on the details of the draft Tai Ho Development Permission Area (DPA) Plan No. DPA/I-TH/E as detailed in the Paper and covered the following main points:

Location and Physical Characteristics

- (a) the Tai Ho DPA (the Area) was located to the east of Tung Chung on the northern part of Lantau Island, fronting North Lantau Highway (NLH). It covered an area of about 230 hectares comprising about 32 hectares of sea area (i.e. Tai Ho Wan) and about 198 hectares of land areas made up of village settlements and natural vegetated areas including agricultural land, woodlands, shrubland, streams and several pieces of isolated vegetated upland on the southern side, i.e. Hung Fa Ngan, A Po Long, Wong Kung Tin and a rectangular plot of land to the east of Tin Liu;
- (b) the topography of the Area was generally flat at the centre with terrain descending from the Lantau North (Extension) Country Park in the south towards the seashore in the north. According to the Landscape Value Mapping of Hong Kong, the Area was classified as having high

landscape value;

Need for Statutory Plan

- (c) the Area was one of the Country Park enclaves that was not yet covered by any statutory plan. The Chief Executive in the 2010-2011 Policy Address acknowledged the need to regulate land use of the Country Park enclaves to forestall human damage. To meet the conservation and social development needs, development within Country Park enclaves would be put under control by either including the enclaves in Country Parks or covering them with statutory plans;
- (d) the land area of Tai Ho formed an integral part of the natural woodlands system in the adjoining country parks with a wide spectrum of natural habitats including large tracts of mature woodland, fung shui woodland (FSW), shrubland and grassland, agricultural land, streamcourses and coastal habitats, supporting a high diversity of wild fauna and flora and were worthy of conservation. In particular, Tai Ho Stream, which was designated as a Site of Special Scientific Interest (SSSI) in 1999, was one of the few remaining medium-sized natural stream courses that supported the highest diversity of freshwater and brackish-water fish species in Hong Kong;
- (e) to prevent any haphazard and uncontrolled development that may adversely affect the rural and natural character with scientific importance and conservation value of the Area, it was necessary to prepare a DPA Plan to cover the Area to provide interim planning guidance control for future development pending preparation of an Outline Zoning Plan (OZP) and to enable enforcement actions to be taken against any unauthorised developments and undesirable change of use;
- (f) on 17.2.2014, under the power delegated by the Chief Executive, the Secretary for Development had directed the Board, under section 3(1)(b) of the Town Planning Ordinance (the Ordinance), to prepare a draft DPA

Plan to cover Tai Ho which was not covered by any statutory plan;

Object of the Draft DPA Plan

- (g) the object of the draft DPA Plan was to delineate the extent of the Area and to set out the types of developments and uses which were permitted at all times and such types of developments and uses that might be permitted with or without conditions on application to the Board within the boundaries of the Area;
- (h) the draft DPA Plan was to illustrate the broad principles of development within the Area. It was a small-scale plan and the planning scheme boundary, the boundary of the land use zones might be subject to minor adjustments as detailed planning and development proceeded;
- (i) the draft DPA Plan was to provide interim planning guidance and to facilitate development control within the Area during the period required for detailed analysis of the land use pattern, study of infrastructural provisions and development constraints for the formulation of an OZP. The draft DPA plan would be replaced by an OZP within three years;

The Area

Existing Situation

- (j) the Area covered an area of about 230 hectares comprising about 32 hectares of sea area (Tai Ho Wan) and about 198 hectares of land area. Most of the Area was Government land (about 83%, 191 hectares) which comprised knolls, hillslopes and seashores, while the remaining area (about 17%, 39 hectares) was privately owned which had been developed as village houses, ancestral halls and agricultural land. According to the 2011 Census, the total population of the Area was about 150 persons. The existing land uses mainly included the following:

Recognised Villages

- (i) there were four recognised villages within the Area, namely Pak Mong, Ngau Kwu Long, Tai Ho and Wong Kung Tin (also known as Wong Fung Tin);
- (ii) except Wong Kung Tin in the southernmost part of the Area where no village cluster was found, all other villages in the Area consisted of typical 3-storey village houses with ancestral halls (i.e. Tsz Tong) and a large area of paved area for ancestral worshipping activities;
- (iii) according to the District Lands Office/Islands, Lands Department, there was no outstanding Small House application in the Area and there were two approved Small House applications at Tai Ho. The 10-year forecasts of Small House demand for Pak Mong, Ngau Kwu Long and Tai Ho were 99, 56 and 120 respectively while no such demand for Wong Kung Tin had been provided;

Conservation and Scientific Values

- (iv) according to the Agriculture, Fisheries and Conservation Department, Tai Ho Stream was one of the few remaining medium-sized natural stream courses running continuously from upland to a lowland estuary. Tai Ho Stream (main stream), its estuary and the lower and middle reaches of the three major tributaries were designated as a SSSI in 1999. The stream supported the highest diversity of freshwater and brackish-water fish in Hong Kong with a total of 67 species recorded, including the rare Largesnout Goby (*Awaous melanocephalus* 黑首阿胡鰕虎魚); and was the only known location of the rare migratory fish Ayu (*Plecoglossus altivelis* 香魚). A stretch of mangrove stand of about 2 hectares could be found at the coastal mudflat, with a total of six out of eight mangrove species recorded in Hong Kong. The Seagrass (*Halophila beccarii* 貝克喜鹽草) had been recorded near the estuary of Tai Ho Stream. Horseshoe crabs (*Carcinoscorpius rotundicauda* 圓尾鬚), a species of conservation importance, had also been recorded in the mudflat

within the boundary of Tai Ho Stream SSSI ;

Landscape Value

- (v) according to the Landscape Value Mapping of Hong Kong, the Area was classified as having high landscape value with rich natural landscape resources including woodlands, shrubland, grassland, FSW, valley, knolls, and streams. There were also natural coastal features such as the estuary, shorelines and inter-tidal mudflats at Tai Ho Wan. In particular, Tai Ho Stream constituted a significant landscape feature within the Tai Ho Valley with high scientific value;
- (vi) four pieces of shrublands at Hung Fa Ngan, A Po Long, Wong Kung Tin and a rectangular plot of land east of Tin Liu, comprising mixed Government land and private lots, fell within the Area; and
- (vii) a natural stream flew along the western boundary of Pak Mong Village and a FSW could be found behind Pak Mong Village. The overall landscape of the Pak Mong FSW was very typical as it featured a new-moon shape behind the village. A total of 96 plant species had been recorded in this FSW including Incense Tree (*Aquilaria sinensis* 土沉香). Other tree species recorded were typical of local FSWs;

Transport and Communications

- (k) there was no direct access to the Area from NLH. The Area was accessible via a slip road from Cheung Tung Road, which was a single two-way road running parallel to NLH from Sunny Bay to Tung Chung New Town. The villages in the Area were connected by concrete-paved footpaths;

Civil Aviation

- (l) a helicopter holding area was located at the northern part of the Area to

direct Government Flying Service flight operations and emergency response flights via the helicopter routes through the Area;

Utility Services

- (m) no drainage system was provided at the inland area of Tai Ho, and there was no existing or planned public sewer for the Area;
- (n) fresh water supply was available to the existing clusters of village houses at Pak Mong, Ngau Kwu Long and Tai Ho but there was no fresh water supply to Hung Fa Shan, A Po Long and Wong Kung Tin. There was no salt water supply system for flushing in the Area;
- (o) telephone network and electricity supply were available in the Area. There was no gas supply to the Area;

Geotechnical Safety

- (p) the Area and its vicinity comprised hilly natural terrain with past natural terrain landslide records. There were about 80 registered man-made slopes and retaining walls within the Area and the stability of these slope features was mostly unknown;

Cultural Heritage

- (q) there were two sites of archaeological interest in the Area, i.e. Pak Mong and Tai Ho Sites of Archaeological Interest. Within the Area, there were three graded historic buildings/structures, i.e. Watchtower, Pak Mong Tsuen (Grade 2), Watchtower, Tai Ho (Grade 3) and Entrance Gate, Pak Mong (Grade 3);

General Planning Intention

- (r) the general planning intention of the Area was to conserve its rich natural landscape resources with high conservation and scientific values in

safeguarding the natural habitat of the wider area, and to reflect the existing recognised villages and rural settlements of Tai Ho. Due consideration should be given to the conservation of the ecologically and environmentally sensitive areas, such as Tai Ho Stream SSSI, when development within or around these areas was proposed;

Land Use Proposals

Village Type Development (“V”) zone (1.27 hectares)

- (s) there were four recognised villages in the Area namely Pak Mong, Ngau Kwu Long, Tai Ho and Wong Kung Tin (also known as Wong Fung Tin). The boundary of the “V” zone was drawn up provisionally having regard to the land status, the existing village clusters and building structures, approved Small House applications, village ‘environs’ (‘VE’), local topography and site characteristics. Areas of difficult terrain, dense vegetation, burial grounds, ecologically sensitive areas and streamcourses had been avoided where possible;
- (t) “V” zone was not designated for Wong Kung Tin as there was no existing village cluster. Therefore, only the existing village clusters in Pak Mong, Ngau Kwu Long and Tai Ho were zoned “V” in the Area. The boundaries of the “V” zones would be further reviewed and defined during the preparation of OZP stage 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.;

“SSSI” zone (4.64 hectares)

- (u) this zone covered the designated Tai Ho Stream SSSI. The SSSI covered a natural stream (Tai Ho Stream), several tributaries running from upland to the lowland estuary and a stretch of mangrove stand of about 2 hectares at the Tai Ho Stream estuary;

“Unspecified Use” area (192.49 hectares)

- (v) this area consisted mainly of woodlands, shrubland, grassland, FSW, agricultural land, valley, knolls and streams in the inland area of Tai Ho Wan and several pieces of isolated vegetated upland on the southern side, i.e. Hung Fa Ngan, A Po Long, Wong Kung Tin and the rectangular plot of land to the east of Tin Liu. It also included the water body of Tai Ho Wan and its natural coastal features such as the shorelines and inter-tidal mudflats. To protect the natural landscape and ecological resources of the Area, planning guidance and development control were considered necessary;
- (w) except the area zoned “V” and “SSSI”, the other areas had been designated as “Unspecified Use” pending detailed analysis and studies to establish the appropriate land uses in the course of the preparation of OZP. Any use and development other than ‘Agricultural Use’ and those uses which were permitted under the covering Notes of the draft DPA Plan would require planning permission from the Board; and

Consultation

- (x) the draft DPA Plan together with the Notes and Explanatory Statement (ES) had been circulated to the relevant Government bureaux and departments for comments. Comments received had been incorporated, as appropriate. The Island District Council (IsDC) and the Mui Wo Rural Committee (MWRC) would be consulted after the publication of the draft DPA Plan.

9. Referring to Plan 9 of the Paper, a Member enquired about the current use of the private land within the Area. Mr Ivan Chung said that the private land within ‘VE’ of the indigenous villages comprised mainly village houses, vacant land, agricultural land and some on-farm structures, while that located outside the ‘VE’ was mainly agricultural land. The boundaries of the “V” zones had been drawn up provisionally having regard to the ‘VE’ and other considerations including land status, the existing village clusters

and building structures, approved Small House applications, local topography and site characteristics.

10. A Member asked DPO/SKIs to explain the requirement for planning permission in respect of diversion of streams, filling of land/pond or excavation of land within the “SSSI” zone. Mr Ivan Chung said that in view of the scientific value of the area zoned “SSSI”, planning permission was required for any diversion of streams, filling of land/pond or excavation of land. Such requirement generally followed the latest Master Schedule of Notes to Statutory Plans endorsed by the Board.

11. Members generally agreed that there was an urgent need to prevent any haphazard and uncontrolled development that might adversely affect the rural and natural character with scientific importance and conservation value of the Area. The DPA Plan would provide interim planning guidance and development control and enable planning enforcement to be taken against any unauthorised development. As a general practice, the Secretariat of the Board would undertake detailed checking and refinement of the draft DPA Plan including the Notes and ES, if appropriate, before its publication under the Ordinance. Any major revision would be submitted for the Board’s consideration.

12. After deliberation, the Board agreed that:

- (a) the draft Tai Ho DPA Plan No. DPA/I-TH/E (to be renumbered as DPA/I-TH/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 at Appendix III of the Paper was suitable to serve as an expression of the planning intention and objectives of the Board for the draft Tai Ho DPA Plan and that the ES should be issued under the name of the Board;
and
- (c) consultation on the draft Tai Ho DPA Plan would be conducted for IsDC and MWRC after its publication under section 5 of the Ordinance.