

Islands District Council Paper No. IDC 119/2014

Draft Po Toi Islands Outline Zoning Plan No. S/I-PTI/C

(15.12.2014)

1 Purpose

The purpose of this Paper is to seek Members' view on the draft Po Toi islands Outline Zoning Plan (OZP) No. S/I-PTI/C (**Appendix I**), its Notes (**Appendix II**) and Explanatory Statement (**Appendix III**).

2 Background

2.1 Pursuant to section 20(5) of the Town Planning Ordinance (the Ordinance), the Po Toi Islands Development Permission Area (DPA) Plan is effective only for a period of 3 years until 2 March 2015. As such, an OZP has to be prepared to replace the DPA Plan in order to maintain statutory planning control over the Po Toi Islands area (the Area) upon expiry of the DPA Plan.

2.2 On 5 December 2014, the Town Planning Board (the Board) agreed that the draft Po Toi Islands OZP No. S/I-PTI/C was suitable for submission to the Islands District Council (IsDC) and the Lamma Island (South) Rural Committee (LISRC) for consultation. Views of the IsDC and the LISRC on the draft OZP will be submitted to the Board for further consideration prior to the gazettal of the draft OZP under section 5 of the Ordinance.

3 The Planning Scheme Area

3.1 The Area covers a total area of about 550ha. It comprises a group of islands located at the southern-most of Hong Kong, which include mainly Po Toi (about 369ha), Mat Chau (about 3ha), Beaufort Island (about 120ha), Sung Kong (about 48ha) and Waglan Island (about 10ha). The Area has a rural and natural setting with scientific importance and conservation value which are unique in Hong Kong.

3.2 Po Toi is the southern-most island in Hong Kong and is the largest among the five islands. It has a hilly terrain and is covered by rocky outcrops and vegetations including mangroves, woodland vegetation including large mature trees and shrubland with tree clumps. It is largely natural in character with scattered rural settlements at Tai Wan and Wan Tsai. According to the 2011 Census, the existing population at Po Toi is about 50. In 2011/2012, activities involving vegetation clearance and laying of concrete slabs were found in the southwest Po Toi.

3.3 Waglan Island is the eastern-most outlying island in the Area. The southern part of the island is covered by rocky outcrops with limited vegetated areas of shrubs and grasses whilst the northern part of the island has a rocky surface. Mat Chau,

Beaufort Island and Sung Kong are isolated islands within the Area. They have a hilly terrain and are covered by rocky outcrops and scattered vegetated areas of shrubs and grasses.

4 General Planning Intention

The general planning intention for the Area is to conserve the areas of high ecological significance, and to protect the unique landscape, rural and natural characters of the Area. Due consideration to the conservation of the ecologically and environmentally sensitive areas, such as Po Toi, when development in or near the Area is proposed. It is also intended to provide appropriate planning control for, inter alia, development of education and recreational facilities with overnight accommodation, low-rise, low density residential development, as well as improvement and upgrading of existing temporary structures through redevelopment of existing temporary structures into permanent buildings.

5 Land Use Zonings

5.1 In the process of preparing the draft OZP, LINRC, green/concern groups, local residents and departments concerned, including the Agriculture, Fisheries and Conservation Department (AFCD), the Environmental Protection Department (EPD) and the Lands Department (LandsD), have been consulted. The land use zonings on the draft OZP are listed in the following paragraphs:

5.2 *“Residential (Group D)” (“R(D)”): Total Area 0.48ha*

5.2.1 The planning intention of this zone is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board.

5.2.2 This zone mainly covers the areas to the southwest of Po Toi Village outside its ‘VE’. This area is mainly occupied by one- to two-storey temporary structures built years ago. Most of the structures are occupied while some are ruins.

5.2.3 To allow for upgrading and improvement, redevelopment of existing temporary structures or existing building shall not result in a total development and/or redevelopment in excess of a maximum building area of 37.2m² and a maximum building height of 2 storeys (6m), or the building area and height of the existing building, whichever is the greater. Rebuilding of New Territories Exempted House (NTEH) and replacement of an existing domestic building which was in existence on the date of the first publication in the Gazette of the notice of the draft DPA Plan by a NTEH are always permitted in this zone. Apart from allowing residential upgrading, low-rise and low-density residential developments may be permitted on application to the Board.

To be in line with the general development intensity of the surrounding areas, residential development including redevelopment for 'Flat' and 'House' (except 'NTEH') shall not result in a total development in excess of a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m).

- 5.2.4 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the plot ratio and building height restrictions may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.
- 5.2.5 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.

5.3 *“Village Type Development” (“V”): Total Area 0.71ha*

- 5.3.1 The planning intention of this zone is to designate both existing recognized villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial 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 NTEH. Other commercial and community uses may be permitted on application to the Board.
- 5.3.2 The boundary of the “V” zone is drawn up around existing clusters having regard to ‘VE’, the local topography, the existing settlement pattern, site characteristics as well as the estimated Small House demand. Areas of difficult terrain, dense vegetation, burial grounds, ecologically sensitive areas and streamcourses have been avoided where possible.
- 5.3.3 There is only one recognised village in the Area, namely Po Toi Village on Po Toi. Currently, there is a restaurant within the “V” zone. There are neither approved nor outstanding Small House applications within its ‘VE’ and the village is occupied by one- to two-storey tenement houses.
- 5.3.4 In order to ensure that any future development or redevelopment within the village would retain the village character, no new development, or additional 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 (8.23m) or the height of the existing building(s), whichever is greater. Minor relaxation of the building height restriction may be considered

by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

- 5.3.5 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.
- 5.3.6 There is no existing sewer or planned public sewer for the Area, and at present, each house is typically served by its own on-site septic tanks and soakaway (STS) system. In accordance with the Environmental, Transport and Works Bureau's Technical Circular (Works) No. 5/2005, under the current administrative practice, for development proposals/submissions that may affect natural streams/rivers, the approving/processing authorities at various stages of the development should consult and collate comments from Director of Agriculture, Fisheries and Conservation and relevant authorities and incorporate relevant comments/advice as conditions of approval wherever possible. For the protection of the water quality of the streams and sea, the design and construction of on-site STS system for any development proposals/submissions also need to comply with relevant standards and regulations, such as EPD's ProPECC 5/93. Accordingly, the Lands Department when processing Small House grant and applications in close proximity to existing stream courses should consult concerned departments including EPD, the Agriculture, Fisheries and Conservation Department (AFCD) and PlanD to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.

5.4 *"Government, Institution or Community" ("G/IC"): Total Area 0.24ha*

- 5.4.1 The planning intention of this zone is primarily for the provision of GIC facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.
- 5.4.2 The "G/IC" zone covers the Tin Hau Temple and the abandoned village school, i.e. Po Toi School at Po Toi, as well as the lighthouse and other government uses/facilities at southern Waglan Island. The abandoned village school site is zoned "G/IC" to reserve for further use by the Government. Flexibility is also provided in the "G/IC" zone for adaptive reuse of the vacant village school site to compatible Government, institution or community uses.
- 5.4.3 To preserve the rural and low-rise character of the Area, development/redevelopment within this zone should be restricted to the maximum building height as stipulated on the Plan or the height of building which was in existence on the date of first publication in the Gazette of the notice of the DPA Plan, whichever is greater.

5.4.4 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 proposal will be considered on its individual planning merits.

5.4.5 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.

5.5 *“Open Space” (“O”): Total Area 0.10ha*

5.5.1 This zone is intended primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.

5.5.2 This zone covers areas in front of Tin Hau Temple and at the eastern fringe of Po Toi Village, which are being used as a stage for the Chinese operas performance during festive celebration. The piece of flatland at the eastern fringe of Po Toi Village is also being used as an emergency landing pad for helicopters.

5.6 *“Other Specified Uses” (“OU”): Total Area 0.07ha*

5.6.1 The planning intention of this zone is for specified development(s) and/or uses, which is/are specified in the annotation of the zone. There is only one “OU” zone on the Plan, which is annotated ‘Pier’ and covers two sites currently used as piers located at Tai Wan, Po Toi and Waglan Island.

5.6.2 Development within this zone should be restricted to a maximum building height stipulated on the Plan or the height of the building which was in existence of the date of the first publication in the Gazette of the notice of the draft DPA Plan, whichever is the greater.

5.6.3 Minor relaxation of the building height restriction may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

5.7 *“Green Belt” (“GB”): Total Area 150.47ha*

5.7.1 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.

5.7.2 Areas with natural vegetation, woodland, hilly terrain, hillside shrubland and grassland have been designated as “GB” to protect existing green areas and preserve the hilly terrain in the Area.

5.7.3 The “GB” zone mainly covers the vegetated hill slopes at Tai Wan and

Wan Tsai, Po Toi; as well as those at Mat Chau, Beaufort Island and Sung Kong. There are two traditional burial grounds in the southern part of Po Toi within this zone. As they have been in existence before the first publication of DPA Plan, they are considered as an existing use intended for the burial of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities within this zone are generally tolerated.

- 5.7.4 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.
- 5.7.5 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 coordinated or implemented by Government, and maintenance, repair or rebuilding works.

5.8 *“Coastal Protection Area” (“CPA”): Total Area 30.43ha*

- 5.8.1 The planning intention of this zone to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform and 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.
- 5.8.2 This zone covers the coastal areas along the islands, which primarily consist of coastal vegetation, rocky and boulder coasts.
- 5.8.3 New residential development is not permitted under this zone. Redevelopment of existing houses may be permitted on application to the Board. The redevelopment of an existing house 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.
- 5.8.4 In view of the conservation value of the area within this zone, permission from the Board is required for diversion of streams, filling of land/pond or excavation of land that may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment.

5.9 “Conservation Area” (“CA”): Total Area 367.17ha

- 5.9.1 This zone is intended to protect and retain the existing natural landscape, ecological and topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment from the adverse effects of development. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.
- 5.9.2 This zone covers most part of Po Toi which has scientific significance and high conservation value. Owing to its geographical position, Po Toi is considered as a crucial re-fuelling stop for migratory birds. More than 300 bird species, such as Hodgson's Redstart (*Phoenicurus hodgsoni*, 黑喉紅尾鵲), Dark-throated Thrush (*Turdus ruficollis*, 赤頸鵲), Brown Hawk Owl (*Ninox scutulata*, 鷹鵂), Blue-winged Pitta (*Pitta moluccensis*, 馬來八色鵲) and Oriental Honey Buzzard (*Pernis ptilorhyncus*, 鳳頭蜂鷹) have been recorded. Po Toi is also one of the only four sites in Hong Kong with natural populations of Romer's Tree Frog (*Liuixalus romeri*, 盧氏小樹蛙), an “Endangered” species under the IUCN Red List of Threatened Species, which could be found in the streams on Po Toi. The island also has a diverse assemblage of over 60 species of butterflies. The “CA” zone also covers the vegetated hill slopes and the rocky areas at Waglan Island, which has a natural character and is known to be a breeding site for terns.
- 5.9.3 It is intended that with stringent planning control imposed under this zoning, the rich ecological and biological features in the areas can be protected and preserved. New residential development is not permitted under this zone. Redevelopment of existing quarters 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.
- 5.9.4 Within this zone, the area near Tai Wan Public Pier, which is more accessible and consist of private lots with building entitlements, may have potential for development of education and recreational facilities with overnight accommodation to allow visitors staying in the Area for a longer period of time for education/recreation activities. This can unleash the education and recreational potentials in the Area. Yet the feasibility of such development is subject to further assessments on environmental, ecological, traffic, infrastructure, sewerage, drainage, visual and landscape aspects, etc. Any development should not affect the unique natural environment within this zone.
- 5.9.5 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.

6 Advice Sought

Members are requested to express their views on the draft Po Toi Islands OZP No. S/I-PTI/C and Members' views will be conveyed to the Board for consideration.

7 Attachments

Appendix I	Draft Po Toi Islands OZP No. S/I-PTI/C
Appendix II	Notes of the draft Po Toi Islands OZP No. S/I-PTI/C
Appendix III	Explanatory Statement of the draft Po Toi Islands OZP No. S/I-PTI/C

**SAI KUNG AND ISLANDS DISTRICT PLANNING OFFICE
PLANNING DEPARTMENT
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