

DRAFT YI O
DEVELOPMENT PERMISSION AREA PLAN NO. DPA/I-YO/1
EXPLANATORY STATEMENT

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(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 Yi O Development Permission Area Plan No. DPA/I-YO/1. It reflects the planning intention and objectives of the Town Planning Board (the Board) for the Plan.

2. **AUTHORITY FOR THE PLAN AND PROCEDURE**

2.1 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 Town Planning Ordinance (the Ordinance), to prepare a draft plan designating the Yi O and Nga Ying Kok as a development permission area (DPA).

2.2 On 23.11.2012, the draft Yi O DPA Plan No. DPA/I-YO/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 delineate the extent of the Yi O DPA (the Area) and to set out the types of developments and uses which are permitted at all times and such types of developments and uses that may be permitted with or without conditions on application to the Board within the boundaries of the Area.

3.2 The Plan is to illustrate the broad principles of development within the Planning Scheme Area. It is a small-scale plan and the planning scheme boundary may be subject to minor adjustments as detailed planning and development proceed.

3.3 The Plan is 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 outline zoning plan (OZP).

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 Area 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 EXISTING SITUATION

- 5.1 Included in the Area are Yi O and a site at Nga Ying Kok, covering an area of about 23.34 ha. The Yi O area (about 23.05 ha), surrounded by the Lantau North and Lantau South Country Parks, is one of the sea bays along the south-western coast of the Lantau Island. The site at Nga Ying Kok (about 0.29 ha), located to the north of Yi O, is enclosed by the Lantau North Country Park on the east, south and west. Part of the site is an orchard and part was a pigsty which is now abandoned and ruined.
- 5.2 The Area contains abandoned village houses, woodlands, shrublands, grasslands, wetlands, mangroves, streams, and fallow agricultural land. The coastal area contains mudflat stretches and a variety of marine life. It is rural in nature and is a popular hiking area with scenic views, accessible either by the Lantau Trail, or by boat via local jetties during high tide, from Tai O or Fan Lau.
- 5.3 The Area consists of a variety of habitats including woodland, grassland, shrub land, wetland and streams. Denser vegetation can be found in the valley areas and south facing slopes. In addition, a mature mangrove stand can be found at the mudflat at the bay area to the north of Yi O Village. Romer's Tree Frog (*Liuixalus romeri* 廬氏小樹蛙), an endangered species that is widespread in Lantau Island, had been recorded near a stream north of Yi O. The woodlands and streams in the Area also provide habitats for this species. Although the Area is not exceptional in terms of biodiversity or ecological importance, the wooded areas at the periphery of the Area form a continuous stretch of well-established vegetation with those located at the adjacent Lantau North and South Country Parks, which are foraging and nursery grounds for mammals and butterflies. Floral species of the Area are mostly common and widespread. A protected species *Aquilaria sinensis* (土沉香) can be found in the Area.
- 5.4 The Yi O Village (also known as Yi O San Tsuen), a recognized village in the Area, is now largely abandoned. It is located in the middle of the Area and is traversed by the north-south running Lantau Trail. Ruined and abandoned village houses are scattered and some of them are not easily accessible. An abandoned village school, namely Yi O Village School, is located at the upper slope to the

southwest of Yi O Village. Local jetties are spoiled and lie along the Lantau Trail at the northern part of the Area.

6. NEED FOR PLANNING GUIDANCE AND CONTROL

- 6.1 The Area is rural and natural in character comprising mainly woodlands, shrublands, grasslands, wetlands, mangroves, streams, and fallow agricultural land. Any uncontrolled development may affect landscape and the natural environment, including marine ecology and mudflat habitats along the coast of the Area. Recently, activities involving tree felling, vegetation clearance and excavation have been found in the central part of Yi O causing an adverse impact on the natural environment.
- 6.2 To prevent any haphazard and uncontrolled development that may adversely affect the rural and natural character of the Area, it is necessary to prepare a DPA Plan to cover the Area to provide interim planning guidance control for future development pending preparation of an OZP and to enable enforcement actions to be taken against any unauthorized developments and undesirable change of use to safeguard the Area's natural and rural character with scientific importance and conservation value.

7. THE DEVELOPMENT PERMISSION AREA

7.1 Plan Area

The Area, about 23.34 ha in size, is located at the southwest of Lantau Island and surrounded by the Lantau North and Lantau South Country Parks.

7.2 General Planning Intention

The general planning intention of the Area is to protect its high conservation and landscape value and the rural settings which complement the overall natural character and the landscape beauty of the surrounding Country Parks. The planning intention is also to reflect the existing recognized village of Yi O.

7.3 Population

Based on the population data of the 2011 Census, there is no population in the Area.

7.4 Land Use Zonings and Intended Uses

7.4.1 "Village Type Development" ("V"): Total Area 0.19 ha

- (a) The planning intention of this zone is to reflect an existing recognized village. 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 infrastructure 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.

- (b) The recognized village of Yi O (also known as Yi O San Tsuen) is largely abandoned. The boundaries of "V" zone are drawn up provisionally around existing clusters having regard to existing village clusters and building structures, 'village environs', 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 streamcourses have been avoided where possible. The boundaries of the "V" zone will 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.
- (c) Except for those specified, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum building height of 3-storey (8.23 m) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of this draft DPA Plan, whichever is the greater.
- (d) To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height restriction may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.
- (e) 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 works and related activities.

7.4.2 "Unspecified Use" : Total Area 23.15 ha

- (a) Amid the Lantau North and Lantau South Country Parks, the Area has high scenic value forming part of the wider natural system of Lantau Island countryside. The Area comprises mainly fallow agricultural land, mangrove, woodland, shrubland, grassland, and watercourses. A small parcel of land at Nga Ying Kok to the north of Yi O is also included in the Area. To protect the natural and landscape character of the Area, planning guidance and development control is considered necessary. Owing to the urgency to establish planning control under the DPA plan, the Area, except land within the "V" zone, has been designated as "Unspecified Use" pending detailed analysis and

studies to establish the appropriate land uses in the course of the preparation of OZP.

- (b) Any use or development, other than the 'Agricultural Use' and some uses always permitted under the covering Notes of the Plan, requires planning permission from the Board.
- (c) Any diversion of streams, filling of land/pond or excavation of land, including that to effect a change of use to the always permitted use as specified above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by the Government), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of this draft DPA Plan without the permission from the Board.

7.5 Transport and Utility Services

7.5.1 Road Network and Footpath

- (a) Yi O and Nga Ying Kok are not served by any road and only accessible by walking trails, including the Lantau Trail which is connected with Tai O to the north and Fan Lau to the south. There are local trails to Man Cheung Po which connects to Keung Shan Country Trail leading from Keung Shan at Tai O Road. With local jetties, Yi O is accessible by boat from nearby Tai O and Fan Lau during high tide. The Lantau Trail which partially lies within the Area is a popular hiking trail.
- (b) Any proposal to widen the footpath or access road to an Emergency Vehicular Access within country park areas would require consent of the Country and Marine Parks Authority. Consultation with the Country and Marine Parks Board or its committee would be required.

7.5.2 Utility Services

(a) Water Supply

There is no potable water supply within the Area.

(b) Drainage

There are no existing public stormwater drains and sewers in the Area. There is no plan at the moment for any new drainage works in the Area.

(c) Sewage Treatment

There is no existing or planned sewerage in the Area.

7.6 Cultural Heritage

Sites of archaeological interest including Yi O Site of Archaeological Interest and Yi O – Fan Lau Boulder Trackway are worthy of preservation. Prior consultation with the Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department should be made, if any development, redevelopment or rezoning proposal might affect the above sites of archaeological interest and their immediate environs. If disturbance of these sites of archaeological interest and areas of archaeological potential is unavoidable, a detailed Archaeological Impact Assessment (AIA) conducted by an archaeologist is required for development works within the sites. The archaeologist shall apply for a licence to conduct the AIA under the Antiquities and Monuments Ordinance (Cap. 53). A proposal of the AIA shall be submitted to the AMO for agreement prior to applying for a licence.

7.7 Geotechnical Safety

The Area, especially those parts located near the DPA boundary adjoining the Lantau North and Lantau South Country Parks, is located below steep natural terrain and may be affected by potential natural terrain landslide hazards. For developments within 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 developments.

8. PLANNING CONTROL WITHIN THE DEVELOPMENT PERMISSION AREA

- 8.1 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 are always permitted and no separate permission is required.
- 8.2 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 impact 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.
- 8.3 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 which may include the departmental outline development plans/layout plans, and the guidelines published by the Board. The outline development plans/layout plans are available for public inspection at the Planning Department. 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, the Technical Services Division and 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.

- 8.4 Any development, other than those referred to in paragraph 8.1 above or in conformity with this draft DPA Plan or with the permission of the Board, undertaken or continued on or after the date of the first publication in the Gazette of the notice on land included in the DPA Plan may be subject to enforcement proceedings under the Ordinance. Any diversion of streams, filling of land/pond or excavation of land within land designated as "Unspecified Use" or any diversion of stream or filling of pond within "V" zone on or after 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.
- 8.5 It is intended that the DPA plan published by the Board will be replaced, within three years, by an OZP. Under the provisions of section 20(5) of the Ordinance, a draft DPA plan is effective for a period of three years after the notification in the Gazette. Extension of one additional year may be given by the Chief Executive in Council. The provision of enforcement will continue to be applicable to the Area after the DPA Plan is replaced by an OZP.

**TOWN PLANNING BOARD
NOVEMBER 2012**