

**DRAFT PO TOI ISLANDS OUTLINE ZONING PLAN NO. S/I-PTI/1**

**EXPLANATORY STATEMENT**

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## DRAFT PO TOI ISLANDS OUTLINE ZONING PLAN NO. S/I-PTI/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 Po Toi Islands Outline Zoning Plan No. S/I-PTI/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 20 February 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 Po Toi Islands (the Area) as a development permission area (DPA).
- 2.2 On 2 March 2012, the draft Po Toi Islands DPA Plan No. DPA/I-PTI/1 was exhibited for public inspection under section 5 of the Ordinance. During the exhibition period, a total of 173 valid representations were received. During the first three weeks of the publication period, 725 comments were received. After giving consideration to the representations and comments on 28 September 2012, the Board noted the supportive views of the representations and decided not to uphold the adverse representations.
- 2.3 On 12 March 2013, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Po Toi Islands DPA Plan, which was subsequently renumbered as DPA/I-PTI/2. On 22 March 2013, the approved Po Toi Islands DPA Plan No. DPA/I-PTI/2 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.4 On 22 November 2014, under the power delegated by the Chief Executive, the Secretary for Development directed the Board, under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the Po Toi Islands area.
- 2.5 On 27 February 2015, the draft Po Toi Islands OZP No. S/I-PTI/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 zoning for the Area so that the development and redevelopment within the Area can be put under statutory planning control. It also provides the planning framework for preparing some 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 to provide guidance for more detailed planning. It is a small scale plan and the boundaries of the Plan and the boundaries between land use zones may be subject to minor adjustments as detailed planning and development proceed.

#### **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 PLANNING SCHEME AREA**

- 5.1 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 boundary of the Area is shown by a heavy broken line on the Plan.
- 5.2 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.
- 5.3 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.
- 5.4 The Area has a rural and natural setting with scientific importance and conservation value which are unique in Hong Kong. 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 International Union for Conservation of Nature (IUCN) Red List of Threatened Species, and has a diverse assemblage of over 60 species of butterflies. Besides, Waglan Island is known to be a breeding site for terns. Some plant species of conservation interest are recorded in Beaufort Island and Po Toi such as *Eulophia flava* (黃花美冠蘭), *Podocarpus macrophyllus* (羅漢松), *Polygala polifolia* (小花遠志) and *Rungia chinensis* (中華孩兒草).

- 5.5 According to the "*Landscape Value Mapping of Hong Kong*" prepared by the Planning Department (PlanD) in 2005, the overall landscape value of the Area is high. The overall landscape character of these islands is rugged and visually dramatic. Especially on Po Toi, there are some well-known geological formations of particular historic and cultural significance. Generally, the character of the landscape is open, coherent, tranquil and reasonably varied.

## **6. POPULATION**

Within the Area, only Po Toi is inhabited. According to the 2011 Census, the population in the Area is about 50. It is expected that the planned population of the Area would be about 100.

## **7. OPPORTUNITIES AND CONSTRAINTS**

### **7.1 *Opportunities***

#### **7.1.1 Conservation of Natural Landscape**

The Area has a rural and natural setting with scientific importance and conservation value which is unique in Hong Kong. In particular, the natural habitat of Po Toi has high ecological and scientific values worthy of conservation. Any development within the Area should not affect the special ecological, landscape, geological and cultural heritage resources in the Area. Developments compatible with the natural and rural settings in areas around the existing village settlements at Po Toi could be considered.

#### **7.1.2 Education and Recreation Potentials**

The Area has unique ecological, landscape, geological and cultural heritage resources with high scientific and archaeological values. These resources, most of which are concentrated in Po Toi, should be preserved. The places of scientific and archaeological interests are connected by a footpath network originating from the public pier in Tai Wan. Nevertheless, the limited frequency of the existing kaito service has limited the public access to these places. Provision of appropriate education facilities with overnight accommodation, e.g. holiday camp/tenting site, on Po Toi can facilitate public understanding of the Area's unique environment while at the same time unleash the recreation

potential of the Area. The area near Tai Wan Public Pier, which is more accessible and consists of private lots with building entitlements, may be a suitable location for such development. In view of the unique natural and rural environment of the Area with special scientific importance and high conservation value, the scale and character of such development should be compatible with the natural and rural characters of the Area. Owing to the limited transport facilities, utilities and infrastructure, as well as the need to conserve the Area's rural and natural setting with high conservation value, large-scale recreation and/or tourism development in the Area should be avoided.

## 7.2 *Constraints*

### 7.2.1 Nature Conservation

Po Toi is an important re-fuelling stop for migratory birds in view of its unique geographical position and suitable habitats. Over 300 bird species (60% of native avifauna) have been recorded at Po Toi. Because Po Toi is the first arrival point in Hong Kong for many migratory birds, it is the premier location for scientific research on the migration of birds. Most of the migratory birds recorded on Po Toi were found around the Wan Tsai and Tai Wan areas. These areas provide important foraging and resting grounds for migratory land birds. Besides, Po Toi is one of the only four sites in Hong Kong with natural populations of Romer's Tree Frog. Wan Tsai, in particular, is an important breeding site for the species on Po Toi. Po Toi also has a diverse assemblage of over 60 species of butterflies (26% of native butterfly fauna). Due consideration should be given to its conservation when development in or near this area is proposed. Developments in the Area involving site formation and vegetation and rock clearances may impose adverse and irreversible impacts on the existing ecological resources.

### 7.2.2 Landscape Character

- (a) Except the village settlements at Po Toi, other islands are undeveloped. The coastal areas of Tai Wan and Wan Tsai are covered with coastal woodland vegetation including large native mature trees within Po Toi village, mangroves and shrubland with tree clumps, which serves as a significant ecological resource to sustain the migratory birds. The large native mature trees also serve as a village and cultural landscape feature of high landscape coastal amenity. The dense woodland vegetation at the back of Po Toi Village is also a significant landscape feature. The coastal waters of Po Toi Islands also has high landscape value. Generally, the character of the coastal landscape is open, coherent, tranquil, remote and reasonably varied due to the visual complexity of the island group.
- (b) The Area also features steep rocky coast and low cliffs from 100mPD to 270mPD with geological formations of high landscape value. Especially on Po Toi, there are some well-known geological formations in granite rock along the coastline, e.g. Buddha's Palm

Cliff, Tortoise Rock and Coffin Rock. Rock Carvings on Po Toi are Declared Monuments of particular historic and cultural significance. The southern coast of Po Toi also has high landscape scenic and cultural significance. In view of the above, the unique landscape resources and the character of the Area should be preserved. Any large scale development with extensive site formation and vegetation clearance should be avoided as it would cause irreversible adverse landscape and ecological impacts. Small scale development with conservation purposes that is compatible with the existing landscape context is recommended for Po Toi.

#### 7.2.3 Cultural Heritage

The Area has two declared monuments and a site of archaeological interest which are worthy of preservation. Rock Carvings on Po Toi and the Lighthouse at Waglan Island are Declared Monuments of particular historic and cultural significance. Prior consultation with the Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department (LCSD) should be made if any works, developments, redevelopment or rezoning proposals may affect the declared monuments, site of archaeological interest and their immediate environs. In accordance with section 6 of the Antiquities and Monuments Ordinance (Cap. 53), a permit issued by the Antiquities Authority, i.e. the Secretary for Development is required for any works to be carried out within the monument boundary of a declared monument. If disturbance to the site of archaeological interest is unavoidable, a detailed archaeological impact assessment (AIA) shall be conducted to evaluate the archaeological impact imposed by the proposed works if there is any development within the site of archaeological interest. If necessary, a qualified archaeologist shall apply for a licence under the Antiquities and Monuments Ordinance (Cap. 53) for an archaeological investigation. A proposal of the AIA shall be submitted to the AMO for agreement prior to applying for the licence. Subject to the findings of the AIA, appropriate mitigation measures shall be fully implemented by the project proponent in consultation with the AMO of LCSD.

#### 7.2.4 Accessibility

One of the development constraints in the Area is the limited frequency and capacity of the kaito ferry services. Only one kaito ferry service between Po Toi and Aberdeen is operated on Tuesdays and Thursdays, with additional services from Stanley to Po Toi on Saturdays, Sundays and Public Holidays. Among the four islands within the Area, Po Toi and Waglan Islands have a network of footpaths and hiking trails connecting piers/jetties to village (Po Toi only), mountain uplands as well as other places of interests. These footpaths/hiking trails shall always be maintained for free public access.

#### 7.2.5 Infrastructure and Utility Services

The electricity and water supply facilities in the Area are limited. There are also no drainage and sewerage systems in the Area. Any development

that will lead to increases in population or number of visitors to the Area would require additional facilities. For any development or redevelopment, the project proponent should address how sewage and/or other wastewater, if any, produced could be collected, treated and discharged. Should septic tank and soakaway system be proposed, it shall meet the requirements of the Environmental Protection Department (EPD)'s Practice Note for Professional Persons (ProPECC) PN 5/93 "Drainage Plans subject to comment by EPD".

#### **7.2.6 Geotechnical Safety**

The Area comprises hillsides with history of instability, and is subject to potential landslide hazards. For any future development in the Area including the "V" zone, natural terrain hazard study may be required to assess the potential hazards and constraints arising from natural terrain, and to provide suitable hazard mitigation measures, if found necessary, as part of the development.

#### **7.2.7 Burial Grounds**

Within the Area, there are two permitted burial grounds located in Wan Tsai and Ngong Chong of Po Toi.

### **8. 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.

### **9. LAND USE ZONINGS**

#### **9.1 "Residential (Group D)" ("R(D)"): Total Area 0.48ha**

9.1.1 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.

9.1.2 This zone mainly covers the areas to the southwest of Po Toi Village outside its 'Village Environs' ('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.



- 9.1.3 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 37.2m<sup>2</sup> 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' 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).
- 9.1.4 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.
- 9.1.5 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.

9.2 "Village Type Development" ("V"): Total Area 0.74ha

- 9.2.1 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.
- 9.2.2 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.
- 9.2.3 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. This zone also covers an area at the eastern fringe of Po Toi Village, which is used by the villagers as a stage for the Chinese opera

performances during festive celebration and an emergency landing pad for helicopters.

- 9.2.4 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.
- 9.2.5 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.
- 9.2.6 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 tank 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 Practice Note PN 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 and PlanD to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.

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

- 9.3.1 The planning intention of this zone is 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.
- 9.3.2 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 abandoned village school site to compatible Government, institution or community uses.

- 9.3.3 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 draft DPA Plan, whichever is greater.
- 9.3.4 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.
- 9.3.5 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.

9.4 “Open Space” (“O”): Total Area 0.06ha

- 9.4.1 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.
- 9.4.2 This zone covers an area in front of Tin Hau Temple which is used as a stage for the Chinese opera performances during festive celebration.
- 9.4.3 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.

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

- 9.5.1 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 existing piers at, Tai Wan of Po Toi village and an existing pier at Waglan Island.

9.6 “Green Belt” (“GB”): Total Area 150.2ha

- 9.6.1 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.
- 9.6.2 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.
- 9.6.3 The “GB” zone mainly covers the vegetated hill slopes at Tai Wan and Wan Tsai of 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 the draft 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.

- 9.6.4 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.
- 9.6.5 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.

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

- 9.7.1 The planning intention of this zone is to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform and areas 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.
- 9.7.2 This zone covers the coastal areas along the islands, which primarily consist of coastal vegetation, rocky and boulder coasts.
- 9.7.3 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 draft DPA Plan.
- 9.7.4 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.

9.8 “Conservation Area” (“CA”): Total Area 367.45ha

- 9.8.1 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.

- 9.8.2 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 ptilorhynchus*, 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.
- 9.8.3 It is intended that with stringent planning control imposed under this zoning, the rich ecological and biological features in the area can be protected and preserved. 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 draft DPA Plan.
- 9.8.4 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.
- 9.8.5 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.

## **10. COMMUNICATIONS**

### **10.1 Waterborne Transport**

There is no public transport service in the Area except the licensed kaito ferry services from Aberdeen/Stanley to Po Toi.

### **10.2 Road Network and Footpath**

There is no road network in the Area but footpath systems on Po Toi and Waglan islands which provide access from piers/jetties to mountain uplands as well as other places of interest. Improvement works to the footpaths in the Area are carried out under the Rural Public Works Programme.

## **11. UTILITY SERVICES**

There are no sewerage, drainage and water supply systems in the Area. Electricity and potable water are provided to the local residents at Po Toi village on Po Toi via portable electricity generators and water tanks, dam and water pipe provided and maintained by the Islands District Office (IsDO).

## **12. CULTURAL HERITAGE**

12.1 There are two Declared Monuments in the Area. One is the Waglan Lighthouse, Waglan Island, which is one of the five surviving pre-war navigation lighthouses in Hong Kong, and was declared a monument on 29 December 2000. The other one is the Rock Carvings on Po Toi, which have resemblance to the patterns of pottery and bronze vessels in the Bronze Age about 3,000 years ago. The Carvings were declared a monument on 27 April 1979. Every effort should be made to preserve the Declared Monuments.

12.2 A site of archaeological interest, known as Tai Wan Site of Archaeological Interest, is also found in Tai Wan at the southwestern Po Toi. Artefacts of both prehistoric and historic periods have been discovered in Tai Wan Site of Archaeological Interest.

12.3 The Antiquities Advisory Board (AAB) has also released a list of new items in addition to the list of 1,444 historic buildings. These items are subject to grading assessment by the AAB. Details of the list of 1,444 historic buildings and the new items have been uploaded onto the website of the AAB at <http://www.aab.gov.hk>.

12.4 Prior consultation with AMO of LCSD should be made if any works, developments, redevelopment or rezoning proposals may affect the declared monuments, site of archaeological interest and their immediate environs. In accordance with section 6 of the Antiquities and Monuments Ordinance (Cap. 53), a permit issued by the Antiquities Authority, i.e. the Secretary for Development is required for any works to be carried out within the monument boundary of a declared monument. If disturbance to the site of archaeological interest is unavoidable, a detailed archaeological impact assessment (AIA) shall

be conducted to evaluate the archaeological impact imposed by the proposed works if there is any development within the site of archaeological interest. If necessary, a qualified archaeologist shall apply for a licence under the Antiquities and Monuments Ordinance (Cap. 53) for an archaeological investigation. A proposal of the AIA shall be submitted to AMO for agreement prior to applying for the licence. Subject to the findings of the AIA, appropriate mitigation measures shall be fully implemented by the project proponent in consultation with AMO of LCSD.

### **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 improvement or 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. However, project works for maintenance and repair of existing utilities would be carried out within the Area by the IsDO.
- 13.3 Any increase in population, number of visitors to the Area or further recreational/residential developments would require additional facilities. In particular, the design and construction of the on-site STS need to comply with relevant standards and regulations, such as EPD's ProPECC PN 5/93, for the protection of the water quality and the natural streams flowing through the Area.
- 13.4 Notwithstanding the above, minor improvement works, e.g. access improvements, utility services installation and public works projects will be implemented through the Public Works Programme and the Rural Public Works Programme subject to priority and resource availability. Private developments will be effected principally through private sector initiatives 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 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.

- 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 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.
- 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 or after 2 March 2012 included in a Plan of the Po Toi Islands DPA may be subject to enforcement proceedings under the Ordinance. Any diversion of streams, filling of land/pond or excavation of land in relevant zones on or after the exhibition of the specific plan referred to in the Notes of the relevant zones without permission from the Board may also be subject to enforcement proceedings.