

DRAFT YI O OUTLINE ZONING PLAN NO. S/I-YO/B
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 Outline Zoning Plan (OZP) No. S/I-YO/B. It reflects the planning intention and objectives of the Town Planning Board (the Board) for various land-use zonings for the plan.

2. AUTHORITY FOR THE PLAN AND PROCEDURE

- 2.1 On 8 November 2012, under the power delegated by the Chief Executive (CE), 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 Yi O and Nga Ying Kok as a development permission area (DPA).
- 2.2 On 23 November 2012, the draft Yi O DPA Plan No. DPA/I-YO/1 was exhibited for public inspection under section 5 of the Ordinance. During the plan exhibition period, a total of 144 representations were received. When the representations were published, one comment was received. After giving consideration to the representations and comment on 10 May 2013, the Board noted the supportive views of the representations and decided not to uphold the adverse representations.
- 2.3 On 8 October 2013, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Yi O DPA Plan, which was subsequently renumbered as DPA/I-YO/2. On 18 October 2013, the approved Yi O DPA Plan No. DPA/I-YO/2 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.4 On 7 May 2015, under the power delegated by the CE, the Secretary for Development directed the Board, under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the Yi O area.
- 2.5 On XX XX 2015, the draft Yi O OZP No. S/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 indicate the broad land use zonings for the area of Yi O so that development and redevelopment within the area of Yi O can be put under statutory planning control. It also provides the planning framework for preparing more 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 planning control only. It is a small-scale plan, the road alignments and boundaries between the land use zones may be subject to minor alterations 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 Planning Scheme Area (the Area) and in particular zones 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 Yi O and a site at Nga Ying Kok with a total area of about 23.34 ha. The Yi O area (about 23.05 ha), surrounded by the Lantau North and Lantau South Country Parks on three sides, with the remaining side fronting to Yi O Bay, is one of the sea bays along the north-western coast of 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 and fronting the sea to the north. A structure is found near the coast of Nga Ying Kok. Area at the rear of Nga Ying Kok has been partly cleared and partly grown with fruit trees.
- 5.2 The Area contains abandoned village houses, woodlands, shrublands, grasslands, wetlands, mangroves, streams, active farmland and fallow agricultural land. The coastal area contains rocky shore, mangrove and various types of coastal plants. It is rural in character 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 woodlands, grasslands, shrub lands, wetlands and streams. Denser vegetation can be found in the valley. In addition, a mature mangrove stand can be found at the mudflat at the bay area to the north of Yi O Village outside the Area. Romer's Tree Frog (*Liuixalus romeri*

盧氏小樹蛙), an endangered species that is widespread in Lantau Island, has been recorded near a stream east of Yi O. Romer's Tree Frog has also been sporadically recorded in the wooded areas near the agricultural fields in the south of the Area. The woodlands in the Area provide habitats for this species. Rice Fish (*Oryzias curvinotes* 弓背青鱗) of conservation concern has also been found in the stream west of Yi O. Although the Area is not exceptional in terms of biodiversity or ecological importance, the wooded areas on the hillslopes form a continuous stretch of well-established vegetation with those located at the adjacent Lantau North and South Country Parks, which provide foraging and nursery grounds for animals. Floral species in the Area are mostly common and widespread. A protected species *Aquilaria sinensis* (土沉香) can be found in the Area and protected wild orchids are recorded near a stream east of Yi O.

- 5.4 The Yi O Village (also known as Yi O San Tsuen), a recognized village in the Area, is 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 to the southwest of a vegetated hillslope at Yi O Village.

6. POPULATION

Based on the population data of the 2011 Census, there is no population in the Area. It is estimated that the planned population of the Area would be about 96.

7. OPPORTUNITIES AND CONSTRAINTS

7.1 Opportunities

7.1.1 Conservation Potential

Surrounded by the Lantau North and Lantau South Country Parks on three sides, the Area is rural in character comprising abandoned village houses, woodlands, grasslands, wetlands, mangroves, streams, active farmland and fallow agricultural land. In addition, the woodland areas at the hillslopes form a continuous stretch of well-established vegetation with those located at the adjacent Lantau North and South Country Parks, which provide foraging and nursery grounds for animals. The woodlands and streams in the Area are worthy of protection as they provide habitats which support the fauna and flora species of conservation importance. The scale of development in the Area should be compatible with the natural environment and rural setting.

7.1.2 Agriculture Potential

Active agricultural activities are being undertaken near Yi O Village and to the north of Yi O Kau Tsuen. In addition, agricultural land with occasional cultivation mainly locates along the trail leading to Yi O Kau Tsuen. The Area has good potential for agricultural use.

7.2 Constraints

7.2.1 Ecological Significance

The Area is well vegetated and ecologically linked with the adjacent Lantau North and Lantau South Country Parks. There are records of fauna and flora species of conservation importance such as Romer's Tree Frog (盧氏小樹蛙), Rice Fish (弓背青鱗), *Aquilaria sinensis* (土沉香) and wild orchids. Any proposed developments that may have adverse impact on the important species and habitats should be carefully considered.

7.2.2 Landscape Character

According to the "Landscape Value Mapping of Hong Kong" (LVM), the area of Yi O comprises mainly broad valley, rural coastal, estuarine and bay landscapes of high landscape and scenic value. The overall landscape character of the Area is remote and tranquil, with open vistas facing towards the sea. Various types of landscape such as woodlands on steep rolling slopes with streams, low-lying fallow agricultural land, mudflats, rocky shores and mangroves in the estuarine area at the mouths of the eastern and southern valley are observed.

7.2.3 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 (LCSD) should be made, if any development, redevelopment or rezoning proposal might affect the above sites of archaeological interest and their immediate environs.

7.2.4 Utility Services

There are no drainage systems and potable water supply in the Area nor committed/planned drainage and water supply projects for the Area. Any increase in population, number of visitors to the Area or further development 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 systems be proposed, it shall comply with relevant standards and regulations, such as Environmental Protection Department's Professional Persons Environmental Consultative Committee Practice Notes (ProPECC) 5/93.

7.2.5 Geotechnical Constraint

The Area, especially those parts located near the OZP 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 development 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 development.

7.2.6 Accessibility

One of the development constraints in the Area is the limited accessibility. The Area is not served by any vehicular access and is only accessible by walking trails, including the Lantau Trail which is connected with Tai O to the north and Fan Lau to the south and other local trails to Man Cheung Po which connect 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.

8. GENERAL PLANNING INTENTION

- 8.1 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 Lantau North and Lantau South Country Parks and to make provision for future Small House development for the indigenous villagers of the Area.
- 8.2 In designation of various land use zones in the Area, consideration has been given to protect the natural habitats in the Area such as the wooded areas which form a continuous stretch of well-established vegetation with those located in the adjoining Lantau north and Lantau South Country Parks and natural streams. Active and fallow agricultural land is retained in view of the good potential for agricultural use.

9. LAND-USE ZONINGS

- 9.1 “Village Type Development” (“V”) : Total Area 0.34 ha
 - 9.1.1 The planning intention of this zone is to designate both existing recognized village 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 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.
 - 9.1.2 Yi O Village (also known as Yi O San Tsuen) is the only recognized village within the Area and is largely abandoned. The boundaries of “V” zone are drawn up around existing clusters having regard to existing

building structures, 'village environs', approved Small House applications, outstanding Small House application, building lots, local topography, site characteristics and estimated Small House demand. Areas of dense vegetation, active agricultural land, ecologically sensitive areas and streamcourses have been avoided where possible.

- 9.1.3 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 storeys (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 the draft DPA Plan, whichever is the greater.
- 9.1.4 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.
- 9.1.5 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 (DAFC) and relevant authorities and incorporate relevant comments/advice as conditions of approval wherever possible. Accordingly, the Lands Department (LandsD), when processing Small House grant and application in close proximity to existing stream courses should consult concerned departments including the Environmental Protection Department (EPD), the Agriculture, Fisheries and Conservation Department (AFCD) and the Planning Department to ensure that all relevant departments would have adequate opportunity to review and comment on the application.
- 9.1.6 There is no existing sewer or planned public sewer for the Area. For NTEH/Small House redevelopment, the design and construction of sewage disposal facilities need to comply with relevant standards and regulations, such as the EPD's ProPECC PN 5/93, for protection of the water quality of the Area.

9.2. "Agriculture" ("AGR"): Total Area 4.84 ha

- 9.2.1 This zone is intended primarily to retain and safeguard good quality agricultural land/farm for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.
- 9.2.2 Active agricultural activities are found around Yi O Village and to the north of Yi O Kau Tsuen. In addition, some abandoned agricultural land, grassland and wetland plant are found along the trail from Yi O Kau Tsuen to the mouth of the valley and its estuary. The abandoned

agricultural land has good potential for rehabilitation for cultivation and other agricultural purposes and is worthy of preservation for agricultural point of view.

- 9.2.3 As diversion of streams or filling of land may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities. However, filling of land specifically required under prior written instructions of Government department(s), or for the purposes of genuine agricultural practice including laying of soil not exceeding 1.2m in thickness for cultivation, and construction of agricultural structure with prior written approval from the LandsD is exempted from the control.

9.3 “Green Belt” (“GB”): Total Area 16.78 ha

- 9.3.1 The planning intention of this zone is primarily for defining the limits of development areas by natural features and to preserve the existing natural landscape as well as to provide passive recreational outlets. There is a general presumption against development within this zone.
- 9.3.2 This zone covers the natural vegetated areas which consist of streamcourses and woodlands. Most of the woodlands and areas adjoining the Lantau North and Lantau South Country Parks are within this zone.
- 9.4.3 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. As diversion of streams, filling of land 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.

9.4 “Coastal Protection Area” (“CPA”): Total Area 1.38ha

- 9.4.1 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 or 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.
- 9.4.2 This zone covers the coastal areas along the eastern side of Yi O Bay and the estuary of Yi O stream to the Yi O Bay, which primarily consist of mudflat, rocky shore, mangrove and coastal plants.

9.4.3 New residential development is not permitted under this zone. Redevelopment of existing houses may be permitted on application to the Board. The redevelopment of 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.

9.4.4 Works relating to diversion of streams, filling of land 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 Yi O and Nga Ying Kok are not served by any vehicular access 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.

10.2 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.

11. UTILITY SERVICES

There is limited fixed line telephone network coverage in the Area. There is no potable water supply within the Area. There are also no existing or planned drainage and sewerage systems in the Area.

12. CULTURAL HERITAGE

12.1 Sites of archaeological interest including Yi O Site of Archaeological Interest and Yi O – Fan Lau Boulder Trackway are located within the Area and worthy of preservation. Prior consultation with the AMO of the LCSD is required if any development, redevelopment or rezoning proposal might affect the above sites of archaeological interest and their immediate environs.

12.2 If disturbance of these sites of archaeological interest is unavoidable, the project proponent shall engage a professional archaeologist to conduct a detailed Archaeological Impact Assessment (AIA) to evaluate the archaeological impact imposed by the proposed works. If necessary, the archaeologist shall apply for a licence from the Antiquities Authority under the Antiquities and Monuments

Ordinance (Cap. 53) for an archaeological investigation and propose appropriate mitigation measures to the satisfaction of AMO.

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 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. It will be undertaken through the participation of both public and private sectors.
- 13.3 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 including guidelines published by the Board. 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 23 November 2012 on land included in a plan of the Yi O DPA may be subject to enforcement proceedings under the Ordinance. Any diversion of streams, filling of land or excavation of land within land in the 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.

**TOWN PLANNING BOARD
AUGUST 2015**