TOWN PLANNING BOARD

CONFIDENTIAL

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TPB Paper No. 10695

for consideration by the Town Planning Board on 27.11.2020

CONSIDERATION OF THE DRAFT SHA LO WAN AND SAN TAU DEVELOPMENT PERMISSION AREA PLAN NO. DPA/I-SLW/B

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CONSIDERATION OF THE DRAFT SHA LO WAN AND SAN TAU DEVELOPMENT PERMISSION AREA PLAN NO. DPA/I-SLW/B

1. Introduction

The purpose of this paper is to seek Members' agreement that:

- (a) the draft Sha Lo Wan and San Tau Development Permission Area (DPA) Plan No. DPA/I-SLW/B (to be renumbered as DPA/I-SLW/1) (**Appendix I**) and its Notes (**Appendix II**) are suitable for exhibition for public inspection under section 5 of the Town Planning Ordinance (the Ordinance); and
- (b) the Explanatory Statement (ES) (**Appendix III**) is suitable to serve as an expression of the planning intention and objectives of the Town Planning Board (the Board) for the draft Sha Lo Wan and San Tau DPA Plan and that the ES should be issued under the name of the Board.

2. Background

On 9.11.2020, under the power delegated by the Chief Executive, the Secretary for Development directed the Board, under section 3(1)(b) of the Ordinance, to prepare a draft DPA Plan to cover Sha Lo Wan and San Tau area which is not covered by any statutory plan.

Location and Physical Characteristics (**Plans 1 to 3**)

2.2 Sha Lo Wan and San Tau (the Area) is located to the west of Tung Chung on the northwestern part of Lantau Island, fronting the Hong Kong-Zhuhai-Macao Bridge (HZMB) Hong Kong Link Road and Hong Kong International Airport (HKIA). It is embraced by Lantau North (Extension) Country Park to the south and north and the sea channel to the north. It covers an area of about 155.92 ha comprising village settlements, woodlands, shrublands, grasslands, vegetated slopes and knolls, streams, active and abandoned farmland, wetlands including marshes and mangroves and coastal features including shorelines, mudflats and seagrass bed. The Area consists of hilly terrains along foothills of Nei Lak Shan to the south. The Area has no vehicular access and most parts of the Area are accessible only by footpaths.

Need for Statutory Plan

2.3 The Area is currently not covered by statutory plan. The Area is characterized by a rural and countryside ambience with two recognized

villages in the western and eastern parts respectively and natural landscape consisting woodlands, shrublands and grasslands connecting to the adjoining Lantau North and Lantau North (Extension) Country Parks. Human disturbance in the form of footpath and road widening and slope cutting works was recently found along Tung O Ancient Trail to allow vehicular access between Sham Wat and Sha Lo Wan which has adversely affected the rural and natural character of the Area (**Plan 4**). To prevent any haphazard and uncontrolled development that may adversely affect the rural and natural character with scientific importance and conservation value of the Area, it is necessary to prepare a DPA Plan to cover the Area to provide interim planning control, pending preparation of an Outline Zoning Plan (OZP) and to enable enforcement actions to be taken against any unauthorised developments and undesirable change of use.

3. Object of the Plan

- 3.1 The object of the Plan is to delineate the extent of 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 Area. It is a small-scale plan and the planning scheme boundary, the boundary of the land use zones may be subject to minor adjustments as detailed planning and development proceed.
- 3.3 The Plan is to provide interim planning guidance and to facilitate development control within the Area during the period required for detailed analysis of the land use pattern, study of infrastructural provisions and development constraints for the formulation of an OZP.

4. The Development Permission Area

4.1 <u>Strategic Planning Context</u>

An overarching principle of 'Development in the North; Conservation for the South' embraced by the Sustainable Lantau Blueprint (the Blueprint) was promulgated in June 2017. The predominant part of Lantau would be conserved for its natural and cultural resources. Unique rural settlements would also be preserved and enhanced. Where appropriate, low-impact leisure and recreational uses would be developed for public enjoyment.

4.2 The Existing Situation

4.2.1 Majority of the Area is largely natural with limited development. Human disturbance in the form of footpath and road widening and slope cutting works are found on both sides of Tung O Ancient Trail. Currently, the Area is not covered by any statutory plan or designated as country park. Hence, developments in the Area are not subject to

planning control.

4.2.2 The Area is a popular hiking area with scenic views. Some famous walking trails such as Tung O Ancient Trail connect to other areas on Lantau including San Tau, Sha Lo Wan, Tai O, Tung Chung and Ngong Ping. There is no significant economic activity in the Area. Major commercial activities include some local provision stores in Sha Lo Wan and San Tau that operate mainly during weekends. Active agricultural land is mainly located in the vicinities of village clusters in Sha Lo Wan and San Tau.

Ecological and Conservation Importance (Plans 5 and 6)

- 4.2.3 The Area forms an extension of the natural woodlands system in the adjoining country parks with a wide spectrum of natural habitats supporting a high diversity of wild fauna and flora and is worth conserving. In particular, San Tau Beach, which was designated as a Site of Special Scientific Interest (SSSI) in 1994, harbours the largest seagrass bed of *Zostera japonica* (矮大葉藻) and *Halophila ovalis* (喜鹽草) on Lantau and the locally uncommon mangrove *Bruguiera gymnorhiza* (木欖). There are also butterfly key areas in Sha Lo Wan and San Tau, where a number of butterfly species of conservation interest such as Grey Scrub Hopper (*Aeromachus jhora* 寬鍔弄蝶), White Dragontail (*Lamproptera curius* 燕鳳蝶) and Golden Birdwing (*Troides aeacus* 金裳鳳蝶) were recorded.
- 4.2.4 There are several natural streams in the Area running from the uphill area within the country parks and Ngong Ping to Sha Lo Wan, Hau Hok Wan and Tung Chung Bay. The streams have records of species of conservation importance such as Acrossocheilus beijiangensis (扎 江光唇魚), Rice Fish (Oryzias curvinotus 弓背青鱂) and Stiphodon multisquamus (多鱗枝牙鰕虎魚). The coastal area contains mangroves, mudflats, seagrass bed and various types of coastal The myriad of terrestrial natural habitats, coupled with streams and natural coastal environment, offer desirable homes for a diverse community of animals of different kinds, including species of conservation importance such as Romer's Tree Frog (Liuixalus romeri 盧氏小樹蛙), Tokay Gecko (Gekko gecko 大壁虎) and Brown Fish Owl (Ketupa zeylonensis 褐漁鴞). Horseshoe Crabs could also be found along the western coast of Sha Lo Wan and northern coast of San Tau.

Landscape Value

4.2.5 The natural landscape of the Area consists of woodlands, shrublands, grasslands, vegetated slopes and knolls, streams, wetlands including marshes and mangroves and coastal features including shorelines, mudflats and seagrass bed. Woodlands are found mainly to the northwest and southwest of Sha Lo Wan Tsuen and to the south of and southwest of San Tau Tsuen.

Recognised Villages (Plans 7a and 7b)

- 4.2.6 There are two recognised villages within the Area, namely Sha Lo Wan (including Sha Lo Wan Tsuen and Sha Lo Wan San Tsuen) and San Tau (including San Tau, Kau Liu and Tin Sam) in the western and eastern parts of the Area respectively. The villages are served by footpaths and local piers and jetties. Village houses are mainly one to three-storey in height. Active and abandoned farmland and some vacant farmhouses are found in Sha Lo Wan and San Tau and their vicinities.
- 4.2.7 Sha Lo Wan Village Office is located to the west of Sha Lo Wan coast outside the village, while San Tau Village Office is located at the central part of the village. Two vacant school premises, namely Sha Lo Wan School and San Tau School, are located in Sha Lo Wan and San Tau respectively.

Government Uses (Plan 8)

- 4.2.8 There are two public toilets in Sha Lo Wan and one in San Tau.
- 4.2.9 Sha Lo Wan Wind Profiler Station is located uphill to the west of Sha Lo Wan coast. Part of the Hong Kong Observatory Sha Lo Wan Automatic Weather Station is located within the Area to the west of Hau Hok Wan.

Religious Institutions (Plan 8)

4.2.10 Ba Kong Temple (把港古廟) and Tin Hau Temple (天后宮) are located on the western coast of Sha Lo Wan.

Burial Ground (Plan 9)

There is one permitted burial ground in the Area for indigenous villagers. It is located to the southeast of Sau Tau.

4.3 <u>Population</u>

Based on the 2016 Population By-census, the population of the Area as estimated by the Planning Department is about 300.

4.4 <u>Accessibility</u>

At present, the Area is not served by any road and most parts of the Area are only accessible by footpaths. There are some famous walking trails such as Tung O Ancient Trail (**Plan 9**). With the provision of local piers and jetties, the Area is also accessible by boat. The viaduct of HZMB spans over the headland at the northwestern tip of the Area near Sha Lo Wan but there is no direct access from HZMB to the Area.

4.5 <u>Utility Services</u>

Drainage

4.5.1 At present, the Area has no public drainage system. Any development planned in this Area shall reserve sufficient land for the necessary drainage improvement in future.

Sewerage

4.5.2 There is no existing or planned public sewer for the Area and at present, the Area is mainly served by on-site septic tank and soakaway (STS) system. The design and construction of the STS systems need to comply with relevant standards and regulations, such as the Professional Persons Environmental Consultative Committee Practice Notes (ProPECC PN) 5/93 of the Environmental Protection Department for the protection of the water quality and the stream flowing through the Area.

Water Supply

4.5.3 Fresh water supply is available to the existing clusters of village houses at Sha Lo Wan and San Tau but the supply is of limited capacity. There is no salt water supply system for flushing in the Area.

Telephone, Electricity and Gas

4.5.4 At present, telephone network and electricity are available in the Area. There is no gas supply to the Area.

4.6 <u>Geotechnical Safety</u>

The Area and its vicinity comprise hilly natural terrain with past natural terrain landslide records. There are about 10 registered man-made slopes and retaining walls within the Area and the stability of these slope features is mostly unknown.

4.7 <u>Cultural Heritage</u> (**Plan 9**)

- 4.7.1 There are three Sites of Archaeological Interest (SAIs) including Sha Lo Wan SAI, Sha Lo Wan (West) SAI and San Tau SAI and a Grade 3 historic building namely Entrance Gate, Sha Lo Wan Tsuen in the Area. All the SAIs and the historic building are worth preserving.
- 4.7.2 Prior consultation with the Antiquities and Monuments Office (AMO) of Development Bureau (DEVB) should be made if any developments, redevelopments or rezoning proposals may affect the above SAIs, graded historic buildings/structures, new items pending grading assessment and their immediate environs.

4.8 <u>Land Ownership</u> (**Plan 9**)

Land tenure within the Area comprises private land, government land, Government Land Licenses and other permits. Majority of the Area is government land (about 74%, 116.04 ha) and about 26% (about 39.88 ha) of the Area is privately owned.

5. <u>General Planning Intention</u>

The general planning intention of the Area is to protect the ecologically sensitive areas (including the San Tau Beach SSSI), to maintain the unique rural and natural character, landscape value and the cultural heritage of the Area, and to prevent it from encroachment by unauthorized development and from undesirable change of use.

6. <u>Land Use Zonings</u> (Appendix I)

"Site of Special Scientific Interest" ("SSSI"): Total Area 1.14 ha

- 6.1 This zone is intended to conserve and protect the features of special scientific interest such as rare particular species of fauna and flora and their habitats, corals, woodlands, marshes or areas of geological, ecological or botanical/biological interest which are designated as SSSI. It intends to deter human activities or development within the SSSI. There is a general presumption against development in this zone. No developments are permitted unless they are needed to support the conservation of the features of special scientific interest in the SSSI, to maintain and protect the existing character of the SSSI, or for educational and research purposes.
- 6.2 This zone covers part of the San Tau Beach SSSI which was designated in 1994. The SSSI is a shallow sheltering beach with fine sand and silt situated at the west coast of Tung Chung Bay. The site harbours the largest seagrass bed of *Zostera japonica* (矮大葉藻) and *Halophila ovalis* (喜鹽草) on Lantau Island and the locally uncommon mangrove *Bruguiera gymnorhiza* (木欖).
- 6.3 Diversion of stream, filling of land/pond or excavation of land may cause adverse impacts on the adjacent areas and adverse impacts on the natural environment and the ecology. In view of the scientific value of the area within this zone, permission from the Board is required for such activities.

"Unspecified Use": Total Area 154.78 ha

6.4 This area mainly consists of woodlands, shrublands, grasslands, vegetated slopes and knolls, streams, active and abandoned farmland and village settlements. It also includes the natural coastal features such as shorelines, mangroves, mudflats and seagrass bed. To protect the natural landscape, ecological resources and rural character of the Area, planning guidance and development control are considered necessary. Except the area zoned

"SSSI", the remaining area of the Plan 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. Any use and development other than 'Agricultural Use' and some uses which are permitted under the covering Notes of the Plan will require planning permission from the Board.

6.5 As diversion of stream, filling of land/pond or excavation of land may cause adverse landscape, environmental, ecological and drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities except those for public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works.

7. Notes of the Plan

- 7.1 Attached to the draft DPA Plan is a set of Notes which shows the type of uses or developments which are always permitted within the Area and other uses for which planning permission from the Board should be sought. The provision for application for planning permission under section 16 of the Ordinance allows flexibility in land-use planning and control of development to meet the changing needs.
- 7.2 The draft Notes (**Appendix II**) are formulated on the basis of the latest Master Schedule of Notes to Statutory Plans endorsed by the Board whilst having regard to the peculiar characteristics of the Area.

8. Plan Number

Upon gazetting, the draft Sha Lo Wan and San Tau DPA Plan will be renumbered as DPA/I-SLW/1.

9. Consultation

- 9.1 The draft DPA Plan together with the Notes and ES have been circulated to the relevant government departments for comments. Comments received have been incorporated into the draft DPA Plan, its Notes or ES, which has been endorsed by the New Territories District Planning Conference by circulation on 19.11.2020 as suitable for submission to the Board for consideration.
- 9.2 The Islands District Council (IsDC) and the Tai O Rural Committee (TORC) have not been consulted on the draft DPA Plan due to the confidential nature of the Plan. The IsDC and TORC will be consulted on the draft DPA Plan after its publication under section 5 of the Ordinance.

10. Decision Sought

Members are invited to:

- (a) agree that the draft Sha Lo Wan and San Tau DPA Plan No. DPA/I-SLW/B (to be renumbered as DPA/I-SLW/1) (Appendix I) and its Notes (Appendix II) are suitable for exhibition for public inspection under section 5 of the Ordinance;
- (b) <u>agree</u> that the ES (**Appendix III**) is suitable to serve as an expression of the planning intention and objectives of the Board for the draft Sha Lo Wan and San Tau DPA Plan and that the ES should be issued under the name of the Board; and
- (c) <u>agree</u> that consultation of the draft DPA Plan with IsDC and TORC will be conducted after its publication under section 5 of the Ordinance.

11. Attachments

Appendix I	Draft Sha Lo Wan and San Tau Development Permission Area Plan No. DPA/I-SLW/B			
Appendix II	Notes of the draft Sha Lo Wan and San Tau Development Permission Area Plan No. DPA/I-SLW/B			
Appendix III	Explanatory Statement of the draft Sha Lo Wan and San Ta Development Permission Area Plan No. DPA/I-SLW/B			
Plans 1 and 2	Location Plans of Sha Lo Wan and San Tau Development Permission Area			
Plan 3	Aerial Photo of Sha Lo Wan and San Tau Development Permission Area			
Plan 4	Site Photos of Tung O Ancient Trail			
Plan 5	Existing Natural Landscape and Habitats			
Plan 6	Photos of Flora and Fauna Species			
Plan 7a	Site Photos of Sha Lo Wan			
Plan 7b	Site Photos of San Tau			
Plan 8	Site Photos of Government Uses and Religious Institutions			
Plan 9	Recognized Village Environs and Land Ownerships			

PLANNING DEPARTMENT NOVEMBER 2020

DRAFT SHA LO WAN AND SAN TAU DEVELOPMENT PERMISSION AREA PLAN NO. DPA/I-SLW/B

(Being a Draft Plan for the Purposes of the Town Planning Ordinance)

NOTES

(N.B. These form part of the Plan)

- These Notes show the uses or developments on land falling within the boundaries of the Plan which are always permitted and which may be permitted by the Town Planning Board, with or without conditions, on application. Where permission from the Town Planning Board for a use or development is required, the application for such permission should be made in a prescribed form. The application shall be addressed to the Secretary of the Town Planning Board, from whom the prescribed application form may be obtained.
- Any use or development which is always permitted or may be permitted in accordance with these Notes must also conform to any other relevant legislation, the conditions of the Government lease concerned, and any other Government requirements, as may be applicable.
- (3) No action is required to make the use of any land or building which was in existence immediately before the first publication in the Gazette of the notice of the draft development permission area plan conform to this Plan, provided such use has continued since it came into existence. 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 in accordance with a permission granted by the Town Planning Board.
- (4) Except to the extent that paragraph (3) applies, any use or development falling within the boundaries of the Plan, unless always permitted in terms of the Plan, shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without permission from the Town Planning Board.
- (5) Except as otherwise specified by the Town Planning Board, when a use or material change of use is effected or a development or redevelopment is undertaken, as always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board, all permissions granted by the Town Planning Board in respect of the site of the use or material change of use or development or redevelopment shall lapse.
- (6) Boundary of the Plan and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.

- (7) The following uses or developments are always permitted on land falling within the boundaries of the Plan except (a) where the uses or developments are specified in Column 2 of the Notes of individual zones or (b) as provided in paragraph (8) in relation to the area zoned "Site of Special Scientific Interest":
 - (a) maintenance, repair or demolition of a building;
 - (b) provision, maintenance or repair of plant nursery, amenity planting, open space, rain shelter, refreshment kiosk, footpath, cycle track, public utility pipeline, electricity mast, lamp pole, telephone booth, telecommunications radio base station, automatic teller machine and shrine;
 - (c) maintenance or repair of road, watercourse, nullah, sewer and drain;
 - (d) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities and waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government;
 - (e) rebuilding of New Territories Exempted House;
 - (f) replacement of an existing domestic building, i.e. a domestic building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, by a New Territories Exempted House;
 - (g) provision, maintenance or repair of a grave of an indigenous New Territories villager or a locally based fisherman and his family members for which permission has been obtained from Government;
 - (h) in areas not zoned or set apart under section 4(1) of the Town Planning Ordinance in the development permission area, the use stipulated in the schedule forming Annex A of these Notes; and
 - (i) in areas zoned or set apart under section 4(1) of the Town Planning Ordinance in the development permission area, the uses stipulated in Column 1 of the relevant zoning schedule forming part of Annex B of these Notes.
- (8) In the area zoned "Site of Special Scientific Interest",
 - (a) the following uses or developments are always permitted:
 - (i) maintenance or repair of plant nursery, amenity planting, sitting out area, rain shelter, refreshment kiosk, road, watercourse, nullah, public utility pipeline, electricity mast, lamp pole, telephone booth, shrine and grave;
 - (ii) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities, waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government;
 - (iii) provision of amenity planting by Government; and

- (b) the following uses or developments require permission from the Town Planning Board: provision of plant nursery, amenity planting (other than by Government), sitting out area, rain shelter, refreshment kiosk, footpath, public utility pipeline, electricity mast, lamp pole, telephone booth and shrine.
- (9) Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted uses and developments within the same zone are always permitted and no separate permission is required.
- (10) In these Notes, unless the context otherwise requires or unless as expressly provided below, terms used in the Notes shall have the meanings as assigned under section 1A of the Town Planning Ordinance.
 - "Existing building" means a building, including a structure, which is physically existing and is in compliance with any relevant legislation and the conditions of the Government lease concerned.
 - "New Territories Exempted House" means a domestic building other than a guesthouse or a hotel; or a building primarily used for habitation, other than a guesthouse or a hotel, the ground floor of which may be used as 'Shop and Services' or 'Eating Place', the building works in respect of which are exempted by a certificate of exemption under Part III of the Buildings Ordinance (Application to the New Territories) Ordinance (Cap. 121).

DRAFT SHA LO WAN AND SAN TAU DEVEOPMENT PERMISSION AREA PLAN NO. DPA/I-SLW/B

Schedule of Uses

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Annex B	SITE OF SPECIAL SCIENTIFIC INTEREST	2

Uses always permitted in an "Unspecified Use" area

(Being an area not zoned or set apart under section 4(1) of the Town Planning Ordinance)

Agricultural Use

Remarks

- (a) Any use or development, other than the always permitted use as specified above or the uses or developments always permitted under the covering Notes, requires planning permission from the Town Planning Board under section 16 of the Town Planning Ordinance.
- (b) Any diversion of stream, 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, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of this draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

Annex B

SITE OF SPECIAL SCIENTIFIC INTEREST

Column 1	Column 2	
Uses always permitted	Uses that may be permitted with or	
	without conditions on application	
	to the Town Planning Board	
Wild Animals Protection Area	Agricultural Use	
	Field Study/Education/Visitor Centre	
	Government Use	
	Nature Reserve	
	Nature Trail	
	On-Farm Domestic Structure	
	Public Convenience	
	Public Utility Installation	

Planning Intention

The planning intention of this zone is to conserve and protect the features of special scientific interest such as rare or particular species of fauna and flora and their habitats, corals, woodlands, marshes or areas of geological, ecological or botanical/biological interest which are designated as Site of Special Scientific Interest (SSSI). It intends to deter human activities or developments within the SSSI.

There is a general presumption against development in this zone. No developments are permitted unless they are needed to support the conservation of the features of special scientific interest in the SSSI, to maintain and protect the existing character of the SSSI, or for educational and research purposes.

Remarks

Any diversion of stream, filling of land/pond or excavation of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes, shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

Appendix III of TPB Paper No. 10695

DRAFT SHA LO WAN AND SAN TAU DEVELOPMENT PERMISSION AREA PLAN NO. DPA/I-SLW/B

EXPLANATORY STATEMENT

DRAFT SHA LO WAN AND SAN TAU DEVELOPMENT PERMISSION AREA PLAN $\underline{\text{NO. DPA/I-SLW/B}}$

EXPLANATORY STATEMENT

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DRAFT SHA LO WAN AND SAN TAU DEVELOPMENT PERMISSION AREA PLAN NO. DPA/I-SLW/B

(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. <u>INTRODUCTION</u>

This Explanatory Statement is intended to assist an understanding of the draft Sha Lo Wan and San Tau Development Permission Area (DPA) Plan No. DPA/I-SLW/B. It reflects the planning intention and objectives of the Town Planning Board (the Board) for the Plan.

2. <u>AUTHORITY FOR THE PLAN AND PROCEDURE</u>

- 2.1 On 9 November 2020, 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 Sha Lo Wan and San Tau area as a development permission area.
- 2.2 On XX XXXX 2020, the draft Sha Lo Wan and San Tau DPA Plan No. DPA/I-SLW/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 Sha Lo Wan and San Tau 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 It is a small-scale plan and the planning scheme boundary, the boundary of the land use zones 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 development constraints 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 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 EXISTING SITUATION

- 5.1 The Area, covering a total area of about 155.92 ha, is located to the west of Tung Chung on the northwestern part of Lantau Island, fronting the Hong Kong-Zhuhai-Macao Bridge (HZMB) Hong Kong Link Road and Hong Kong International Airport (HKIA). The Area consists of hilly terrains along foothills of Nei Lak Shan to the south. It is embraced by Lantau North (Extension) Country Park to the south and north and the sea channel to the north. The Area has no vehicular access and most parts of the Area are accessible only by footpaths.
- The natural landscape of the Area consists of woodlands, shrublands, grasslands, vegetated slopes and knolls, streams, wetlands including marshes and mangroves and coastal features including shorelines, mudflats and seagrass bed. Woodlands cover mainly to the northwest and southwest of Sha Lo Wan Tsuen and to the south and southwest of San Tau Tsuen. San Tau Beach, located to the east of San Tau at the eastern part of the Area, is designated as a Site of Special Scientific Interest (SSSI) for harbouring the largest seagrass bed of *Zostera japonica* (矮大葉藻) and *Halophila ovalis* (喜鹽草) on Lantau Island and the locally uncommon mangrove *Bruguiera gymnorhiza* (木欖). There are also butterfly key areas in Sha Lo Wan and San Tau, where a number of butterfly species of conservation interest such as Grey Scrub Hopper (*Aeromachus jhora* 寬鍔弄蝶), White Dragontail (*Lamproptera curius* 燕鳳蝶) and Golden Birdwing (*Troides aeacus* 金裳鳳蝶) were recorded.
- There are several natural streams in the Area running from the uphill area within the country parks and Ngong Ping to Sha Lo Wan, Hau Hok Wan and Tung Chung Bay. The streams have records of species of conservation importance such as Acrossocheilus beijiangensis (北江光唇魚), Rice Fish (Oryzias curvinotus 弓背青鱂) and Stiphodon multisquamus (多鱗枝牙鰕虎魚). The coastal area contains mangroves, mudflats, seagrass bed and various types of coastal plants. The myriad of terrestrial natural habitats, coupled with streams and natural coastal environment, offer desirable homes for a diverse community of animals of different kinds, including species of conservation importance such as Romer's Tree Frog (Liuixalus romeri 盧氏小樹蛙), Tokay Gecko (Gekko gecko 大壁虎) and Brown Fish Owl (Ketupa zeylonensis 褐漁鴞). Horseshoe Crabs could also be found along the western coast of Sha Lo Wan and northern coast of San Tau.
- 5.4 This Area is characterized by a rural countryside ambience with two recognized villages, namely Sha Lo Wan (including Sha Lo Wan Tsuen and Sha Lo Wan San Tsuen) and San Tau (including San Tau, Kau Liu and Tin Sam) in the western and eastern parts of the Area respectively. Village houses are mainly one to three-storey

- in height. Active and abandoned farmland and some vacant farmhouses are found in the villages and their vicinities. There is no vehicular access to the Area. There is no significant economic activity in the Area. Major commercial activities include some local provision stores in Sha Lo Wan and San Tau that operate mainly during weekends.
- 5.5 There are three Sites of Archaeological Interest (SAIs) including Sha Lo Wan SAI, Sha Lo Wan (West) SAI and San Tau SAI and a Grade 3 historic building namely Entrance Gate, Sha Lo Wan Tsuen in the Area. Besides, two temples, namely Ba Kong Temple (把港古廟) and Tin Hau Temple (天后宮), are located on the western coast of Sha Lo Wan.
- 5.6 The Area is a popular hiking area with scenic views, accessible either by Tung O Ancient Trail which connects Tung Chung and Tai O, by ferry via Sha Lo Wan Pier or by boat via local piers and jetties in the Area.
- 5.7 Sha Lo Wan Wind Profiler Station is located uphill to the west of Sha Lo Wan coast. Part of the Hong Kong Observatory Sha Lo Wan Automatic Weather Station is located within the Area to the west of Hau Hok Wan. There are also three public toilets in the Area, including Sha Lo Wan Village Public Toilet and Sha Lo Wan Beach Public Toilet in Sha Lo Wan and San Tau Public Toilet in San Tau.

6. NEED FOR PLANNING GUIDANCE AND CONTROL

- 6.1 The Area forms an integral part of the natural woodlands system in the adjoining country parks with a wide spectrum of natural habitats supporting a high diversity of wild fauna and flora and are worth conserving. In particular, San Tau Beach, which was designated as a SSSI in 1994, harbours the largest seagrass bed of *Zostera japonica* (矮大葉藻) and *Halophila ovalis* (喜鹽草) on Lantau Island and the locally uncommon mangrove *Bruguiera gymnorhiza* (木欖). The myriad of terrestrial natural habitats, coupled with natural coastal environment and streams with records of species of conservation importance, offer desirable homes for a diverse community of animals of different kinds. The Area is of high scenic and ecological value. Any uncontrolled development may affect the landscape and natural environment, including the marine ecology along the coast of the Area.
- An overarching principle of 'Development in the North; Conservation for the South' embraced by the Sustainable Lantau Blueprint (the Blueprint) was promulgated in June 2017. The predominant part of Lantau would be conserved for its natural and cultural resources. Unique rural settlements would also be preserved and enhanced. Where appropriate, low-impact leisure and recreational uses would be developed for public enjoyment.
- 6.3 To prevent any haphazard and uncontrolled development such as the footpath and road widening and slope cutting works recently found along Tung O Ancient Trail that may adversely affect the rural and natural character with scientific importance and conservation value of the Area, it is necessary to prepare a DPA Plan to cover the Area to provide interim planning control pending preparation of an OZP and to enable enforcement actions to be taken against any unauthorised developments and undesirable change of use.

7. THE DEVELOPMENT PERMISSION AREA

7.1 Plan Area

The Area covers an area of about 155.92 ha. It is mainly bounded by the Lantau North (Extension) Country Park and the sea channel. The boundary of the Area is shown by a heavy broken line on the Plan.

7.2 General Planning Intention

The general planning intention of the Area is to protect the ecologically sensitive areas (including the San Tau Beach SSSI), to maintain the unique rural and natural character, landscape value and cultural heritage of the Area, and to prevent it from encroachment by unauthorized development and from undesirable change of use.

7.3 <u>Population</u>

Based on 2016 Population By-census, the population of the Area as estimated by the Planning Department is about 300.

7.4 Land Use

7.4.1 "Site of Special Scientific Interest" ("SSSI"): Total Area 1.14 ha

- (a) This zone is intended to conserve and protect the features of special scientific interest such as rare particular species of fauna and flora and their habitats, corals, woodlands, marshes or areas of geological, ecological or botanical/biological interest which are designated as SSSI. It intends to deter human activities or development within the SSSI. There is a general presumption against development in this zone. No developments are permitted unless they are needed to support the conservation of the features of special scientific interest in the SSSI, to maintain and protect the existing character of the SSSI, or for educational and research purposes.
- (b) This zone covers part of the San Tau Beach SSSI which was designated in 1994. The SSSI is a shallow sheltering beach with fine sand and silt situated at the west coast of Tung Chung Bay. The site harbours the largest seagrass bed of *Zostera japonica* (矮大葉藻) and *Halophila ovalis* (喜鹽草) on Lantau Island and the locally uncommon mangrove *Bruguiera gymnorhiza* (木欖).
- (c) Diversion of stream, filling of land/pond or excavation of land may cause adverse impacts on the adjacent areas and adverse impacts on the natural environment and the ecology. In view of the scientific value of the area within this zone, permission from the Board is required for such activities.

7.4.2 "Unspecified Use": Total Area 154.78 ha

- (a) This area mainly consists of woodlands, shrublands, grasslands, vegetated slopes and knolls, streams, active and abandoned farmland and village settlements. It also includes the natural coastal features such as shorelines, mangroves, mudflats and seagrass bed. To protect the natural landscape, ecological resources and rural character of the Area, planning guidance and development control are considered necessary. Except the area zoned "SSSI", the remaining area of the Plan 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. Any use and development other than 'Agricultural Use' and some uses which are permitted under the covering Notes of the Plan will require planning permission from the Board.
- (b) As diversion of stream, filling of land/pond or excavation of land may cause adverse landscape, environmental, ecological and drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities except those for public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works.

7.5 Transport and Utility Services

7.5.1 Road Network and Footpath, Jetties

At present, the Area is not served by any road and most parts of the Area are accessible only by footpaths. There are some famous walking trails such as Tung O Ancient Trail connecting to other areas on Lantau including San Shek Wan, Sham Wat, Tai O, Tung Chung and Ngong Ping. With the provision of local piers and jetties, the Area is also accessible by boat. The viaduct of HZMB spans over the headland at the northwestern tip of the Area near Sha Lo Wan but there is no direct access from HZMB to the Area.

7.5.2 Public Transport

There is a ferry route running between Tuen Mun, Tung Chung, Sha Lo Wan and Tai O.

7.5.3 <u>Utility Services</u>

Drainage

(a) At present, the Area has no public drainage system. Any development planned in this Area shall reserve sufficient land for the necessary drainage improvement in future. In particular, a buffer area of sufficient width from both edges of existing watercourses/streams should be reserved to allow the development of future drainage systems with more ecological features, installation of green channels/drainage improvements and implementation of associated

drainage maintenance and river training works in future. If any development or redevelopment within the Area would affect the drainage system or change the drainage characteristic, detailed drainage study would be required and suitable mitigation measures should be provided, if necessary, as part of the development or redevelopment.

Sewerage

(b) There is no existing or planned public sewer for the Area and at present, each house is served by its own on-site septic tank and soakaway (STS) system. Any increase in population, number of visitors to the Area or further residential/recreational developments would require additional facilities. The design and construction of the STS systems need to comply with relevant standards and regulations, such as the Professional Persons Environmental Consultative Committee Practice Notes (ProPECC PN) 5/93 of the Environmental Protection Department for the protection of the water quality and the stream flowing through the Area.

Water Supply

(c) Fresh water supply is available to the existing clusters of village houses at Sha Lo Wan and San Tau but the supply is of limited capacity. There is no salt water supply system for flushing in the Area.

Telephone, Electricity and Gas

(d) Telephone network and electricity supply are available in the Area. Prior consultation with the electricity supplier for the locations of overhead lines and/or underground cables running across the Area is required for any proposed development within the Area. There is no gas supply to the Area.

7.6 Geotechnical Safety

The Area and its vicinity comprise hilly natural terrain with past natural terrain landslide records. There are about 10 registered man-made slopes and retaining walls within the Area and the stability of these slope features is mostly unknown. If these slope features would affect or be affected by any development and redevelopment, geotechnical investigations and studies including the details of any permanent geotechnical works should be submitted to the Geotechnical Engineering Office of the Civil Engineering and Development Department for checking in accordance with the principle laid down in the Environment, Transport and Works Bureau Technical Circular (Works) No. 29/2002 or to the Buildings Department in accordance with the Buildings Ordinance as appropriate. For any future development or redevelopment in the Area, a natural terrain hazard study would 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 or redevelopment.

7.7 <u>Cultural Heritage</u>

- 7.7.1 There are three SAIs including Sha Lo Wan SAI, Sha Lo Wan (West) SAI and San Tau SAI. There is also a Grade 3 historic building namely Entrance Gate, Sha Lo Wan Tsuen. All the SAIs and the historic building are worth preserving.
- 7.7.2 The AAB 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 AAB at http://www.aab.gov.hk.
- 7.7.3 Prior consultation with the Antiquities and Monuments Office (AMO) of Development Bureau (DEVB) should be made if any developments, redevelopments or rezoning proposals may affect the above SAIs, graded historic buildings/structures, new items pending grading assessment and their immediate environs. If disturbance to the SAIs is unavoidable, prior agreement with AMO should be made on any measures for the protection of the SAIs, e.g. whether detailed Archaeological Impact Assessment (AIA) is required. The AIA shall evaluate the archaeological impact imposed by the proposed works. 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 AIA, appropriate mitigation measures shall be fully implemented by the project proponent in consultation with AMO.

7.8 <u>Airport Height Restriction</u>

The building height for the developments within the Area is subject to the gazetted Airport Height Restriction Plan (AHRP) and any potential amendments to the gazetted AHRP related the Expansion of the HKIA into a Three Runway System (3RS) Project. No part of building or buildings or other structure or equipment erected or to be erected within the Area (or any addition or fitting to such building or buildings or structure or equipment) shall exceed the prevailing "restricted height" (more commonly known as Airport Height Restriction (AHR)) prescribed under the Hong Kong Airport (Control of Obstructions) Ordinance (Cap. 301) or its amendment associated with 3RS.

7.9 <u>Aircraft Noise</u>

Aircraft approaching and departing from the HKIA is identified as one of the key existing noise sources which affects the Area. The Area mostly falls inside the Noise Exposure Forecast (NEF) 25 contours, with some portions which may fall inside / outside the NEF 30 contours of the HKIA under the 3RS operations. The Area is in close proximity to the HKIA which is a very busy airport operating 24 hours. Aircraft noise due to the overflights of approaching and departing aircraft is anticipated. The project proponent(s)/developer(s) in the Area should review the building design features and consider the use of acoustic insulation to enhance the indoor noise environment. In addition, the Area is in proximity to the helicopter holding areas and helicopter flight paths, which might also contribute to the noise environment.

7.10 Burial Ground

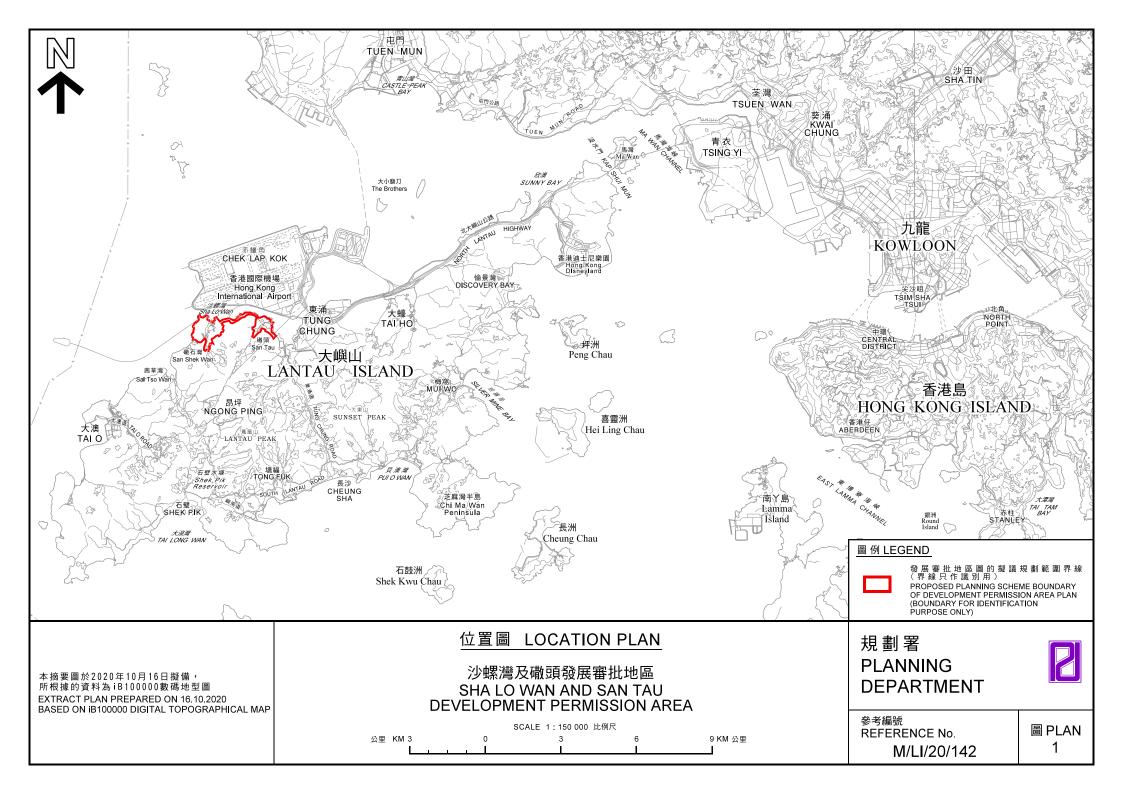
There is one permitted burial ground in the Area for indigenous villagers. It is located to the southeast of Sau Tau.

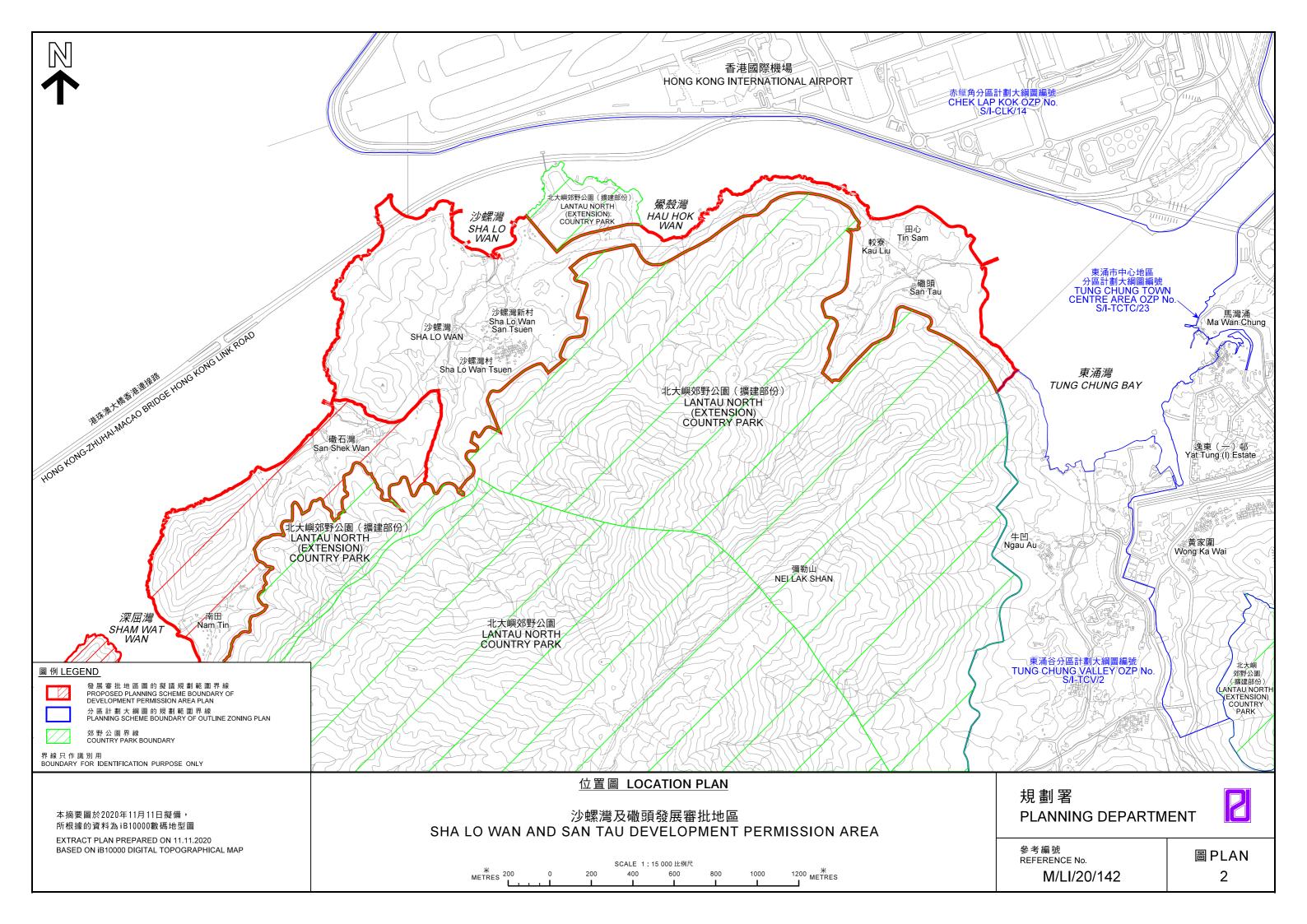
8. PLANNING CONTROL WITHIN THE DEVELOPMENT PERMISSION AREA

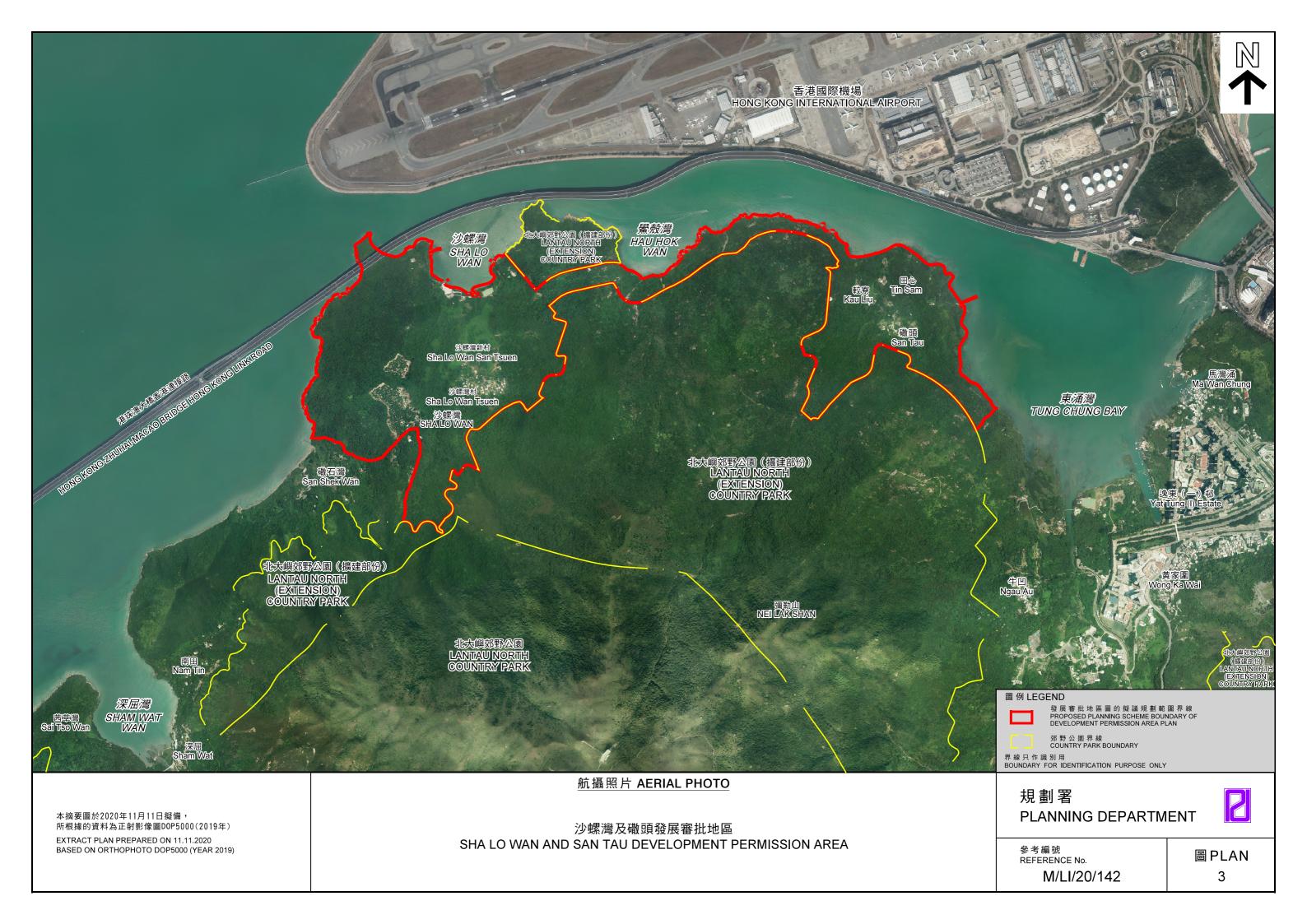
- 8.1 The types of permitted developments and uses on land within the Area are listed in the Notes to the Plan. Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted developments and uses within the same zone 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 the 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 stream, filling of land/pond or excavation of land within land designated "Unspecified Use" area and "SSSI" zone on or after the first publication in the Gazette of the notice of this 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.

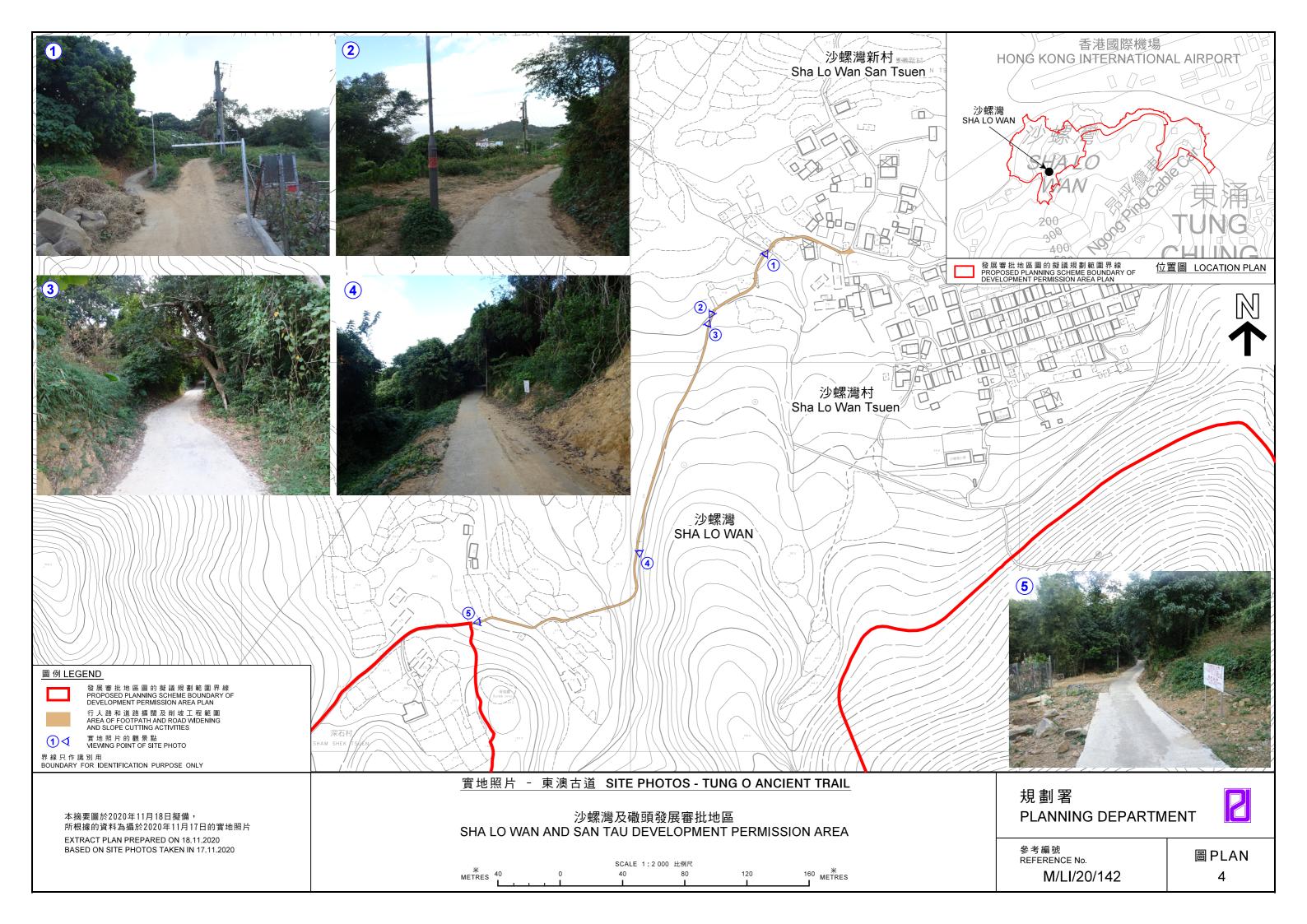
The provision of enforcement will continue to be applicable to the Area after the DPA plan is replaced by an OZP.

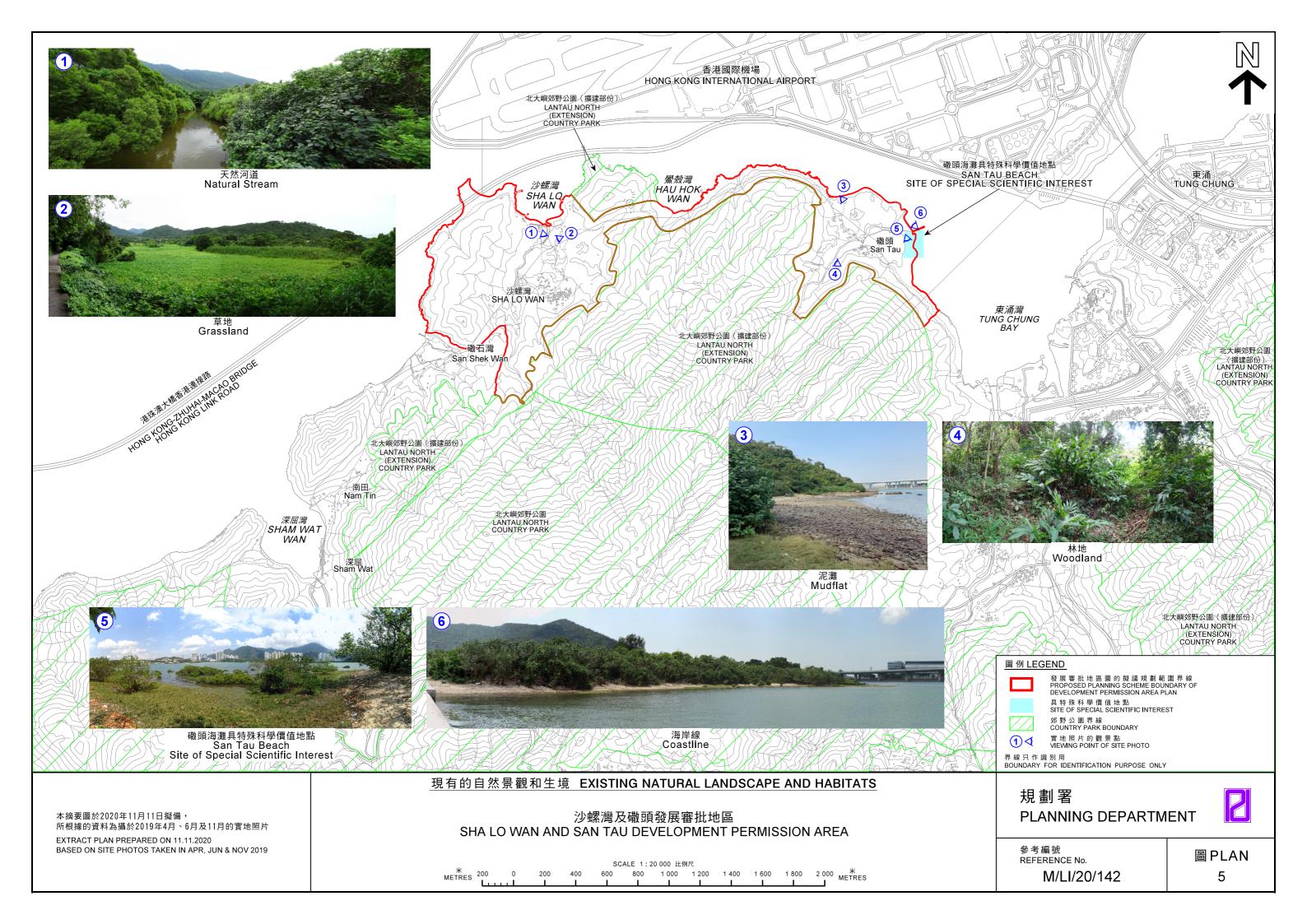
TOWN PLANNING BOARD XXXX 2020













矮大葉藻 Zostera japonica



喜鹽草 Halophila ovalis



木欖 Bruguiera gymnorhiza



盧氏小樹蛙 Romer's Tree Frog



寬鍔弄蝶 Grey Scrub Hopper



金裳鳳蝶 Golden Birdwing



燕鳳蝶 White Dragontail



大壁虎 Tokay Gecko



褐漁鴞 Brown Fish Owl



弓背青鱂 Rice Fish



北江光唇魚 Acrossocheilus beijiangensis



多鱗枝牙鰕虎魚 Stiphodon multisquamus

植物和動物的照片 PHOTOS OF FLORA AND FAUNA SPECIES

沙螺灣及礲頭發展審批地區 SHA LO WAN AND SAN TAU DEVELOPMENT PERMISSION AREA 規劃署 PLANNING DEPARTMENT



參考編號 REFERENCE No. M/LI/20/142

圖PLAN 6

資料來源:漁濃自然護理署 PLAN PREPARED ON 13.11.2020 SOURCE: AGRICULTURE, FISHERIES AND CONSERVATION DEPARTMENT

本圖於2020年11月13日擬備

