Downgraded on 26 Aug 2011

TOWN PLANNING BOARD

TPB Paper No. 8885

For Consideration by

The Town Planning Board on 12.8.2011

CONSIDERATION OF THE
DRAFT LAI CHI WO, SIU TAN & SAM A TSUEN DEVELOPMENT
PERMISSION AREA PLAN NO. DPA/NE-LCW/C



Downgraded on 26 Aug 2011

TPB Paper No. 8885 for Consideration by the Town Planning Board on 12.8.2011

CONSIDERATION OF THE DRAFT LAI CHI WO, SIU TAN AND SAM A TSUEN DEVELOPMENT PERMISSION AREA PLAN NO. DPA/NE-LCW/C

1. Introduction

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

- (a) the draft Lai Chi Wo, Siu Tan and Sam A Tsuen Development Permission Area (DPA) Plan No. DPA/NE-LCW/C (to be renumbered as DPA/NE-LCW/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 Lai Chi Wo, Siu Tan and Sam A Tsuen DPA Plan and that the ES should be issued under the name of the Board.

2. Background

Location and Physical Characteristics

- 2.1 The Area, comprising the three sub-areas of Lai Chi Wo, Siu Tan and Sam A Tsuen, is rural in character and located at the northeastern coast of the Plover Cove Country Park and fronts onto the Yan Chau Tong Marine Park (Plan 1). The Area is accessible either by boats via small piers at Lai Chi Wo Village and Sam A Tsuen or via walking trails leading from Wu Kau Tang and Bride's Pool.
- 2.2 Lai Chi Wo area mainly comprises mangrove, woodland, shrubland, watercourse and fallow agricultural land. Lai Chi Wo Village, Kop Tong and Mui Tsz Lam are recognized villages in the area and are largely abandoned at the moment. Lai Chi Wo Village faces the scenic Yan Chau Tong Marine Park and the Lai Chi Wo Beach Site of Special Scientific Interest, where there are mangrove stand and seagrass habitats. Behind the village is a fung shui woodland designated as a "Special Area" under the Country Parks Ordinance, for its high ecological value (e.g. a butterfly hotspot) and flora diversity. There is a natural stream flowing across the Lai Chi Wo area, about 500m of which is recognized as an Ecologically Important Stream. Fung shui woodlands, which are comparatively remote and intact, are also found behind the Kop Tong and Mui Tsz Lam area (Plans 2b and 3).

- 2.3 Siu Tan area mainly comprises flat and low-lying abandoned agricultural land, which has been turned into intertidal water ponds and freshwater marshes surrounded by shrubs and woodland (Plans 2b and 3).
- 2.4 Sam A Tsuen area mainly comprises woodland, shrubland, abandoned agricultural land, freshwater marsh, stream, estuarine mangrove and mudflat habitats. The habitats support a high diversity of wildlife and flora species worthy of protection and are identified as hotspots for butterflies (Plans 2b and 3). Sam A Tsuen is the only recognized village in the area.

Need for Statutory Plan

- 2.5 The Chief Executive in the 2010-2011 Policy Address has acknowledged the need to regulate land use of the Country Park enclaves to forestall human damage. To meet conservation and social development needs, these Country Park enclaves will be either included into Country Parks, or covered by statutory plans.
- 2.6 The Area is one of the Country Park enclaves that needs to be covered by statutory plan. Apart from rural and natural in character, the Area is rich with heritage and archaeological features, including the Hip Tin Temple & Hok Shan Monastery, a Grade 3 historic building and the Lai Chi Wo Site of Archaeological Interest. Suspected unauthorized tree felling and vegetation clearance have been found in the Area. There is an urgent need to better protect the natural scenic character and ecological value of the Area from uncontrolled development. The DPA plan is to provide planning guidance and development control pending the preparation of an Outline Zoning Plan (OZP) and to enable enforcement actions to be taken against any unauthorized It will provide a mechanism for the Commissioner for Heritage and the Antiquities and Monuments Office (AMO) to protect the historical and archaeological interests of the Area. Having regard to the above. preparation of a DPA plan will provide interim planning guidance as well as enforcement actions to be taken against any unauthorized developments.
- 2.7 On 14.7.2011, 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 plan designating Lai Chi Wo, Siu Tan and Sam A Tsuen as a DPA.

3. Object of the Plan

- 3.1 The object of the draft DPA 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 development and uses that may be permitted with or without conditions on application to the Board within the boundaries of the Area.
- 3.2 The draft DPA plan is to provide planning guidance and to facilitate development control within the Area during the period required for detailed analysis of the land use pattern, study of infrastructural provisions and examination of development options for the formulation of an OZP. The draft DPA plan will be replaced by an OZP within three years.

4. The Plan Area (Appendix I)

Existing land uses

- 4.1 The Area covers a total area of about 131 ha with 90 ha in the Lai Chi Wo area, 20 ha in the Siu Tan area, and 21 ha in the Sam A Tsuen area. The Area, encircled by the Plover Cove Country Park on all sides with Yan Chau Tong Marine Park to the north, has been a famous tourist attraction for many years. A Geo-heritage Centre displaying the geological resources and illustrations of old Hakka village is located in Lai Chi Wo Village (Site Photos 1 and 2). Popular hiking trails include the "Lai Chi Wo Nature Trail". Some of its sections have boardwalks and supporting facilities for visitors to explore the mangrove along the coast (Site Photos 3 and 4).
- 4.2 The existing land uses mainly include the following:

Recognized Village

- (a) The recognized villages within the Area are Lai Chi Wo Village, Mui Tsz Lam, Kop Tong and Sam A Tsuen. Village settlements, now largely abandoned, are mainly concentrated in Lai Chi Wo Village (Site Photos 2, 5 and 6), with some uninhabited house clusters in Kop Tong and Mui Tsz Lam (Site Photos 7 and 8). A few of the village houses in Sam A Tsuen are being used as a restaurant for visitors (Site Photos 9 and 10).
- (b) The village 'environs' ("VE") of Lai Chi Wo Village, Mui Tsz Lam, Kop Tong and Sam A Tsuen are shown on Plan 2b. According to the District Lands Office/North of the Lands Department, there is no outstanding Small House application for these villages. However, the 10-year forecast of demand for Small House at Lai Chi Wo Village, Mui Tsz Lam, Kop Tong and Sam A Tsuen, as provided by the concerned Village Representatives, are 1,098, 149, 130 and 1,200 respectively.

Agricultural land

(c) In the Lai Chi Wo area and Sam A Tsuen, fallow agricultural land mainly spreads around the village clusters (Site Photos 11 and 12). In the Siu Tan area, flat and low-lying abandoned agricultural land was tuned into intertidal water ponds and freshwater marshes in the central and northern part of the area (Site Photo 13).

Woodland/shrubland

(d) In 2005, the major Lai Chi Wo Fung Shui woodland was designated as Lai Chi Wo Special Area so as to protect the mature and complete woodland habitat supporting a very rich species diversity and composition. The presence of a few very old and large trees with unusual forms also increases the conservation value of this woodland area. The fung shui woodland and the dense vegetation in the coastal area provide a good habitat for butterflies (Site Photos 14, 15 and 16). Fung shui woodlands at Kop Tong and Mui Tsz Lam also support a diversity of plans and a rare woody climber was recorded.

(e) Woodland and shrubland mainly locate at the southern part of Siu Tan while woodlands in Sam A Tusen are located in the peripheral hill-slopes with a fung shui wood behind the village. The woodland together with the adjoining Pover Cove Country Park form a continuum of woodland habitat which complement the overall naturalness and landscape beauty of the country park.

Mangrove/Marsh

- (f) Coastal habitat of high ecological and conservation value are represented by the Lai Chi Wo Beach Site of Special Scientific Interest (SSSI) designated in 1979 for the intertidal mudflat and seagrass bed of high ecological value. The mangroves stand along the coast of Lai Chi Wo is regarded as one of the two extremely important mangroves worthy of conservation (Site Photos 17 and 18).
- (g) The intertidal water ponds and freshwater marshes are located at the northern part of Siu Tan (Site Photo 13). In Sam A Tsuen, the mangroves stands in the coastal area, the flat and low-lying marshes and a watercourse in the middle part of the area recorded a number of freshwater fishes and invertebrates of conservation interest (Site Photos 19 and 20).

Stream courses

(h) There is a natural stream flowing across the Lai Chi Wo area in which about 500m of it is recognized as an Ecologically Important Stream (Site Photo 21). This stream together with the coastal habitat is identified as an ecologically important wetland. Over 30 dragonfly species and a wide variety of fauna species of conservation interests are recorded in the area.

Cultural Heritage Interest

4.3 There are historical and archaeological interests in the Area, including the Hip Tin Temple & Hok Shan Monastery within the Lai Chi Wo Village (Site Photo 22) and the Lai Chi Wo Site of Archaeological Interest. Upon publication of a DPA plan, AMO and the Commissioner for Heritage's Office of the Development Bureau will be consulted on any development, redevelopment or rezoning proposals which may affect the above historic building or site of archaeological interest and its immediate environs.

Land ownership

4.4 Slightly over half of land in the Area (about 56%) is Government land while the remaining (about 44%) are private land comprising mainly agricultural land and some building lots.

Transport and accessibility

4.5 At present, the Area is accessible by boats via small piers at Lai Chi Wo Village and Sam A Tsuen, and by walking trails leading from Wu Kau Tang and Bride's Pool.

5. Land Use Proposals

General Planning Intention

The general planning intention of the Area is to protect its high conservation and landscape value and rural settings which complement the overall naturalness and the landscape beauty of the surrounding Plover Cove Country Park. The planning intention is also to reflect the existing recognized villages of Lai Chi Wo Village, Mui Tsz Lam, Kop Tong and Sam A Tsuen.

"Village Type Development" ("V"): Total Area 4.91 ha (Plans 2c to 2g)

- 5.2 The planning intention of this zone is for development of Small House by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern and efficient use of land.
- The recognized villages within the Area are Lai Chi Wo, Mui Tsz Lam, Kop Tong and Sam A Tsuen. The boundaries of "V" zones are drawn up provisionally having regard to the existing clusters and building structures, outstanding Small House demand, and existing site conditions. Areas of difficult terrain, dense and mature vegetation, and ecologically sensitive areas are not included. The boundaries of the "V" zones will be further reviewed and defined during the preparation of OZP stage to take account of the results of relevant assessments/studies on various aspects including Small House demand and developments, conservation value, the environment, infrastructure, landscape character, etc.
- 5.4 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 activity.

"Unspecified Use": Total Area 126.14 ha

- Given the imminent threat to the natural and landscape character of the Area, the Area, except the land within the "V" zone, is designated as 'Unspecified Use' pending further and additional studies to establish the appropriate uses for the Area. This land use designation is primarily intended for giving statutory protection to the Area subject to further studies. Under this land use designation, apart from the 'Agricultural Use' and some uses which are permitted in the covering Notes of the Plan, all uses and developments will require planning permission from the Board. Besides, if diversion of stream, land filling/excavation and pond filling is required for the always permitted uses (except the public works implemented and coordinated by the Government), permission from the Board will be required. This control will help properly regulate and control development and conserve the existing topography and natural vegetation.
- 5.6 Detailed proposals for the Area are set out in the ES (Appendix III).

6. Notes of the Plan (Appendix II)

- 6.1 Attached to the draft DPA plan is a set of Notes that shows the types 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.
- 6.2 The draft Notes are formulated on the basis of the latest set of Master Schedule of Notes (MSN) endorsed by the Board whilst having regard to the peculiar characteristics of the Area.

7. Plan Number

Upon gazetting, the draft Lai Chi Wo, Siu Tan and Sam A Tsuen DPA Plan will be renumbered to DPA/NE-LCW/1.

8. Consultation

- 8.1 The draft DPA Plan together with the Notes and ES have been circulated to the relevant Government bureaux and departments for comments.
- 8.2 Comments received have been incorporated into the draft DPA plan, its Notes or ES as appropriate. On 8.8.2011, the draft DPA Plan was also endorsed by circulation by New Territories District Planning Conference (NTDipCon) for submission to the Board.
- 8.3 The North District Council (NDC) and the Sha Tau Kok District Rural Committee (STKDRC) have not been consulted due to the confidential nature of the plan. However, the NDC and STKDRC will be consulted on the draft DPA Plan after its publication under section 5 of the Ordinance.

9. Decision Sought

Members are invited to:

- (a) agree that the draft Lai Chi Wo, Siu Tan and Sam A Tsuen DPA Plan No. DPA/NE-LCW/C (to be renumbered to DPA/NE-LCW/1) (Appendix I) and its Notes (Appendix II) are suitable for exhibition for public inspection under section 5 of the Ordinance;
- (b) agree that the ES (Appendix III) is suitable to serve as an expression of the planning intention and objectives of the Board for the draft Lai Chi Wo, Siu Tan and Sam A Tsuen DPA Plan and that the ES should be issued under the name of the Board; and
- (c) agree that a briefing on the draft DPA Plan will be conducted for the NDC and STKDRC after its publication under section 5 of the Ordinance.

Attachments

Appendix I Draft Lai Chi Wo, Siu Tan and Sam A Tsuen Development Permission

Area Plan No. DPA/NE-LCW/C

Appendix II Notes of the Draft Lai Chi Wo, Siu Tan and Sam A Tsuen Development

Permission Area Plan No. DPA/NE-LCW/C

Appendix III Explanatory Statement of the Draft Lai Chi Wo, Siu Tan and Sam A

Tsuen Development Permission Area Plan No. DPA/NE-LCW/C

Plan 1 Location Plan of Lai Chi Wo, Siu Tan and Sam A Tsuen

Plan 2a Planning Scheme Boundary of Lai Chi Wo, Siu Tan and Sam A Tsuen

Development Permission Area

Plan 2b Village Environs and Land Ownership of Lai Chi Wo, Siu Tan and Sam

A Tsuen

Plans 2c, 2d and 2e Proposed "Village Type Development" of Lai Chi Wo

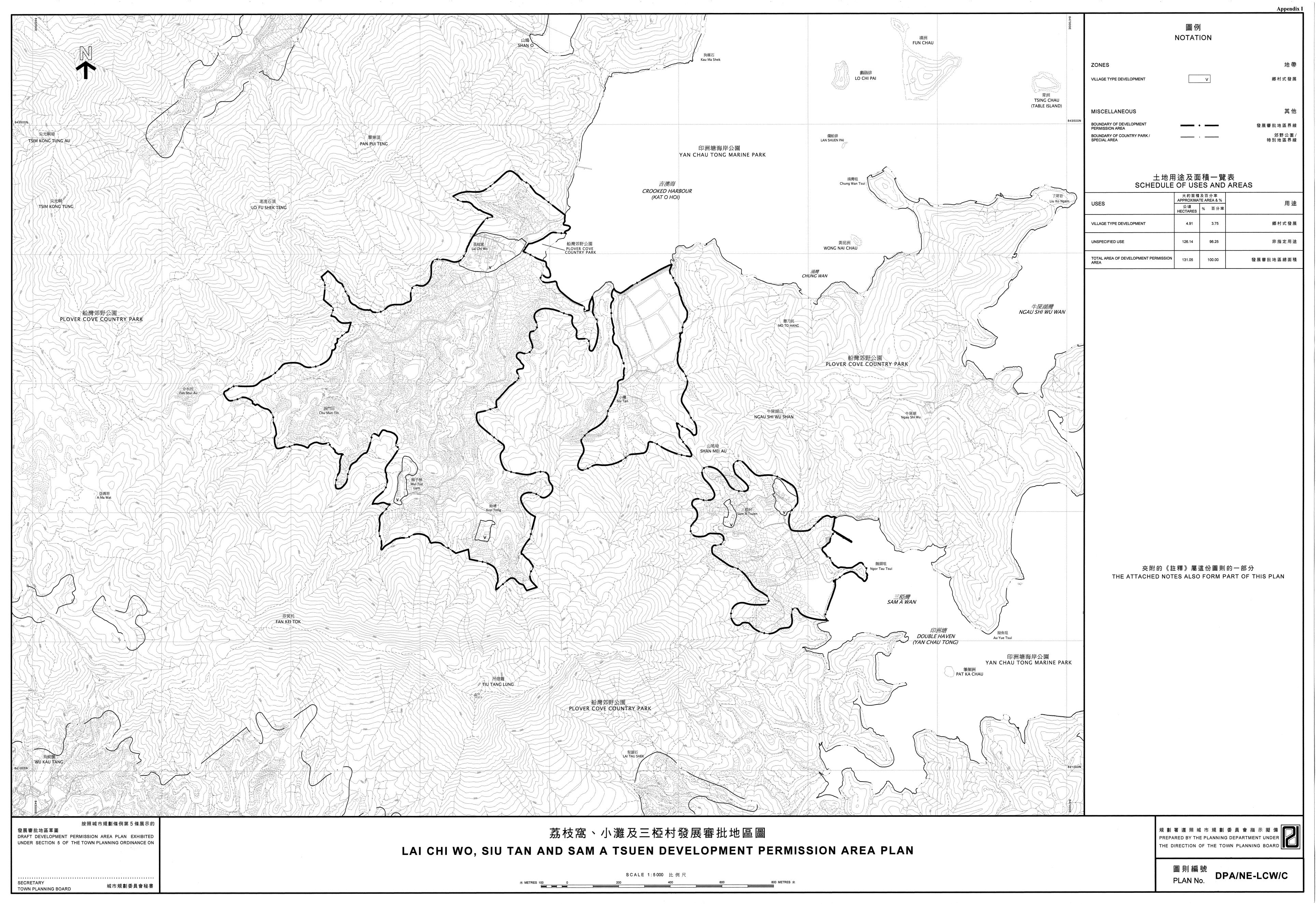
Plans 2f and 2g Existing Village Houses and Ruined Structures within the Proposed "V"

Zone in Lai Chi Wo

Plan 3 Aerial photo

Plans 4a to 4k Site Photos

PLANNING DEPARTMENT AUGUST 2011



<u>DRAFT LAI CHI WO, SIU TAN AND SAM A TSUEN</u> DEVELOPMENT PERMISSION AREA PLAN NO. DPA/NE-LCW/C

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

NOTES

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

- (1) 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.
- (2) 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) Boundaries 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 where the uses or developments are specified in Column 2 of the Notes of the zone:
 - (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, public utility pipeline, electricity mast, lamp pole, telephone booth, telecommunications radio base station 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, waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government;
 - (e) rebuilding of New Territories Exempted Houses;
 - (f) replacement of an existing domestic building, i.e., a domestic building which was in existence on the date of the publication in the Gazette of the notice of this 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 uses 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) 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.
- (9) 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 LAI CHI WO, SIU TAN AND SAM A TSUEN DEVELOPMENT PERMISSION AREA PLAN NO. DPA/NE-LCW/C

Schedule of Uses

		Page
Annex A	Uses always permitted in an "Unspecified Use" area	1
Annex B		
I	VILLAGE TYPE DEVELOPMENT	2

Annex A

Use 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 streams, filling of land/pond or excavation of land, including that to effect a change of use to the always permitted use as specified above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by the Government), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of this draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

DPA/NE-LCW/C

Annex B

VILLAGE TYPE DEVELOPMENT

Column 1	Column 2
Uses always permitted	Uses that may be permitted with or
· · · · · · · · · · · · · · · · · · ·	without conditions on application
	to the Town Planning Board
Agricultural Use	Burial Ground
Government Use (Police Reporting Centre,	Eating Place
Post Office only)	Government Refuse Collection Point
House (New Territories Exempted	Government Use (not elsewhere specified)#
House only)	House (not elsewhere specified)
On-Farm Domestic Structure	Hotel (Holiday House Only)
Religious Institution	Institutional Use (not elsewhere specified)#
(Ancestral Hall only)	Market
Rural Committee/Village Office	Place of Recreation, Sports or Culture
	Public Clinic
	Public Convenience
	Public Transport Terminus or Station
	Public Utility Installation #
	Religious Institution (not elsewhere specified)#
	Residential Institution #
in the applicate soft increase in fa	School #
	Shop and Services
	Social Welfare Facility #
	Utility Installation for Private Project

In addition, the following uses are always permitted on the ground floor of a New Territories Exempted House:

Eating Place Library School Shop and Services

(Please see next page)

VILLAGE TYPE DEVELOPMENT (cont'd)

Planning Intention

The planning intention of this zone is to reflect existing recognized villages. 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 New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Town Planning Board.

Remarks

- (a) No new development, or addition, alteration and/or modification to or redevelopment of an existing building (except development or redevelopment to those annotated with #) 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 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, whichever is the greater.
- (b) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (c) Any diversion of streams or filling of pond, including that to effect a change of use to the always permitted use as specified above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by the Government), shall not be undertaken or continued on or after the date of 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.

<u>DRAFT LAI CHI WO, SIU TAN AND SAM A TSUEN</u> <u>DEVELOPMENT PERMISSION AREA PLAN NO. DPA/NE-LCW/C</u>

EXPLANATORY STATEMENT

DRAFT LAI CHI WO, SIU TAN AND SAM A TSUEN DEVELOPMENT PERMISSION AREA PLAN NO. DPA/NE-LCW/C

EXPLANATORY STATEMENT

CONT	<u>ENTS</u>		Page
1.	INTROE	DUCTION	1
2.	AUTHORITY FOR THE PLAN AND PROCEDURE		
3.	OBJECT OF THE PLAN		
4.	NOTES OF THE PLAN		
5.	THE EX	ISTING SITUATION	2
6.	NEED F	OR PLANNING GUIDANCE AND CONTROL	4
7.	THE DE	VELOPMENT PERMISSION AREA	
	7.1 7.2 7.3 7.4	Plan Area General Planning Intention Population Land Use Zoning and Intended Uses within "Unspecified Use" Area 7.4.1 Village Type Development 7.4.2 Unspecified Use Transport and Utility Services 7.5.1 Road Network and Footpath 7.5.2 Utility Services	4 4 4 5 5
	7.6	Cultural Heritage	6
8.		ING CONTROL WITHIN THE DEVELOPMENT	6

DRAFT LAI CHI WO, SIU TAN AND SAM A TSUEN DEVELOPMENT PERMISSION AREA PLAN NO. DPA/NE-LCW/C

(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 Lai Chi Wo, Siu Tan and Sam A Tsuen Development Permission Area Plan No. DPA/NE-LCW/C. It reflects the planning intention and objectives of the Town Planning Board (the Board) for the Plan.

2. AUTHORITY FOR THE PLAN AND PROCEDURE

- On 14 July 2011, 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 Lai Chi Wo, Siu Tan and Sam A Tsuen area as a development permission area (DPA).
- 2.2 On X XXX, 2011, the draft Lai Chi Wo, Siu Tan and Sam A Tsuen DPA Plan No. DPA/NE-LCW/C (the Plan) was exhibited for public inspection under section 5 of the Ordinance.

OBJECT OF THE PLAN

- 3.1 The object of the Plan is to delineate the extent of the Lai Chi Wo, Siu Tan and Sam A Tsuen DPA (the Area) and to set out the types of developments and uses which are permitted at all times and such types of developments and uses that may be permitted with or without conditions on application to the Board within the boundaries of the Area.
- 3.2 The Plan is a small-scale plan and the planning scheme boundary may be subject to minor adjustments as detailed planning and development proceed.
- 3.3 The Plan is to provide planning guidance and to facilitate development control within the Area during the period required for detailed analysis of the land use pattern, study of infrastructural provisions and examination of development options for the formulation of an outline zoning plan (OZP).

4. NOTES OF THE PLAN

- 4.1 Attached to the Plan is a set of Notes which shows the types of uses or developments which are always permitted within the Area and which may be permitted by the Board, with or without conditions, on application. The provision for application for planning permission under section 16 of the Ordinance allows greater flexibility in land-use planning and control of development to meet the changing needs.
- 4.2 For the guidance of the general public, a set of definitions that explains some of the terms used in the Notes may be obtained from the Technical Services Division of the Planning Department and can be downloaded from the Board's website at http://www.info.gov.hk/tpb.

5. THE EXISTING SITUATION

5.1 The Area, comprising mainly the three sub-areas of Lai Chi Wo, Siu Tan, and Sam A Tsuen, is rural in character and located in adjacent valleys on the northeastern coast of the Plover Cove Country Park. It fronts onto the Yan Chau Tong Marine Park, and has been a famous tourist attraction for many years. Popular hiking trails are located in the Area including the "Lai Chi Wo Nature Trail", where some of its sections have boardwalks and supporting facilities for visitors to explore the mangrove along the coast, and a number of footpaths linking Lai Chi Wo, Siu Tan and Sam A Tsuen from Wu Kau Tang and Bride's Pool.

5.2 Lai Chi Wo Area

- 5.2.1 The landscape of the Lai Chi Wo area mainly comprises mangrove, woodland, shrubland, watercourse and fallow agricultural land. Pockets of fallow and terraced agricultural land overgrown with shrubs and trees are found in the area and are surrounded by hilly terrains covered with dense woodland and natural vegetation. The Area is a popular destination for tourists and hikers. The Lai Chi Wo Site of Archaeological Interest is largely located in it.
- 5.2.2 Village settlements, now largely abandoned, are mainly concentrated in the three recognized villages of Lai Chi Wo Village at the north end, and Kop Tong and Mui Tsz Lam at the south end. Lai Chi Wo Village faces the scenic Yan Chau Tong Marine Park and the Lai Chi Wo Beach Site of Special Scientific Interest, where there are mangrove stand and seagrass habitats. Behind the village is a fung shui woodland designated as a "Special Area" under the Country Parks Ordinance, for its high ecological value (e.g., a butterfly hotspot) and flora diversity. There is a natural stream flowing across the Lai Chi Wo area. About 500m of the stream course is considered as an Ecologically Important Stream. This stream together with the coastal habitat is identified as an ecologically important wetland supporting a high diversity of wild life species of conservation

- value. Fung shui woodlands which are comparatively remote and intact are also found behind the Kop Tong and Mui Tsz Lam area.
- 5.2.3 The Area includes a Geo-heritage Centre displaying the geological resources and illustrations of old Hakka village in Hong Kong. A Nature Trail links up the Lai Chi Wo Village and the coastal area. A graded historic building in the area is the Hip Tin Temple & Hok Shan Monastery" (Grade 3 historic building).
- 5.2.4 In the last two years, suspected unauthorized tree felling and vegetation clearance have been found near Lai Chi Wo pier and at Miu Tsz Lam.

5.3 Siu Tan

- 5.3.1 The landscape of the Siu Tan area mainly comprises flat and low-lying abandoned agricultural land, which has been turned into intertidal water ponds and freshwater marshes surrounded by shrubs and woodland. It is also adjacent to the Yan Chau Tong Marine Park and the Lai Chi Wo Beach Site of Special Scientific Interest where there are mangrove and seagrass habitats.
- 5.3.2 There is a natural stream near the western boundary of the site flowing from south to north towards the Marine Park. Habitats in Siu Tan support a high diversity of wildlife and flora species worthy of protection, and it is also identified as a hotspot for butterflies. Mangrove stands are found along the watercourse and at intertidal water ponds near the coastal area, where uncommon species of seagrass have been found. Together with the freshwater marsh derived from fallow agricultural land near the former village settlement, the wetland complex is identified as an ecologically important wetland. Surrounding the wetlands on the east, south and west are continuous woodlands forming the foothill of the Plover Cove Country Park.
- 5.3.3 In the last three years, suspected unauthorized excavation and felling of trees have also been found within the area.

5.4 Sam A Tsuen

- 5.4.1 The Sam A Tsuen area mainly comprises woodland, shrubland, abandoned agricultural land, freshwater marsh, stream, estuarine mangrove and mudflat habitats. The habitats support a high diversity of wildlife and flora species worthy of protection and are identified as hotspots for butterflies and freshwater fishes.
- 5.4.2 Sam A Tsuen is the only recognized village in the area. The village faces southwest, directly overlooking the scenic shore flat land and is surrounded by wooded hills on three sides in the north, west and south. A few of the village houses have recently been refurbished and are being used as a restaurant for visitors.

- 5.4.3 The woodlands in the peripheral hill-slopes and a fung shui wood behind the village form a continuum of woodland habitat together with the adjoining Plover Cove Country Park. The fung shui wood provides a good breeding habitat for butterflies.
- 5.4.4 Last year, suspected unauthorized tree felling was detected in the fung shui wood.

6. NEED FOR PLANNING GUIDANCE AND CONTROL

The Area is rural and natural in character with a scenic setting. There are woodland, shrubland, fallow agricultural land, freshwater marsh, stream, mangrove, seagrass bed, intertidal water ponds and mudflat habitats. Any uncontrolled development may affect landscape and threaten the marine ecology and mudflat habitats along the coast of the Area. Suspected excavation and unauthorized tree felling and vegetation clearance have been found in the Area. There is an urgent need to better protect the natural scenic character and avoid disturbance of the ecological interest of the Area. The DPA plan is to provide planning guidance and development control pending the preparation of an OZP and to enable enforcement actions to be taken against any unauthorized development.

7. THE DEVELOPMENT PERMISSION AREA

7.1 Plan Area

The Area covers a total area of about 131 ha with 90 ha in the Lai Chi Wo area, 20 ha in the Siu Tan area, and 21 ha in the Sam A Tsuen area. The Area is surrounded by the Plover Cove Country Park except where it fronts on Yan Chau Tong Marine Park. The boundary of the Area is shown by a heavy broken line on the Plan.

7.2 General Planning Intention

The Area is surrounded by Plover Cove Country Park facing Yan Chau Tong Marine Park and is rural and natural in character. The general planning intention of the Area is to protect its high conservation and landscape value and the rural settings which complements the overall naturalness and the landscape beauty of the surrounding Plover Cove Country Park. The planning intention is also to reflect the existing recognized villages of Lai Chi Wo Village, Mui Tsz Lam, Kop Tong and Sam A Tsuen.

7.3 Population

Based on the population data from the 2006 By-census, the total population of the Area was estimated to be about 300.

7.4 Land Use Zonings and Intended Uses Within "Unspecified Use" Area

7.4.1 "Village Type Development" ("V"): Total Area 4.91 ha

- (a) The planning intention of this zone is to reflect existing recognized villages. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructure and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Board.
- (b) The recognized villages within the Area are Lai Chi Wo, Mui Tsz Lam, Kop Tong and Sam A Tsuen. The boundaries of "V" zones are drawn up provisionally around existing clusters having regard to the existing village clusters and building structures, outstanding Small House demand and existing site conditions. Areas of difficult terrain, dense and mature vegetation, and ecologically sensitive areas are not included. The boundaries of the "V" zones will be further reviewed and defined during the preparation of OZP stage to take account of the results of relevant assessments/studies on various aspects including Small House demand and developments, conservation value, the environment, infrastructure, landscape character, etc.
- (c) Except for those specified, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum building height of 3-storey (8.23 m) or the height of the building which was in existence on the date of publication in the Gazette of the notice of this draft DPA plan, whichever is the greater.
- (d) To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height restriction may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.
- (e) As diversion of streams or filling of pond may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activity.

7.4.2 "Unspecified Use": Total Area 126.14 ha

Amid the Plover Cove Country Park, the Area has high scenic value forming part of the wider natural system of Pat Sin Leng and Plover Cove countryside. It is adjacent to the ecologically sensitive Yan Chau Tong Marine Park and the Lai Chi Wo Beach Site of Special Scientific Interest.

To protect the natural and landscape characters of the Area, planning guidance and development control are considered necessary. Owing to the urgency of to establish planning control under the the DPA plan, the Area, except land within the "V" zone, has been designated as "Unspecified Use" pending detailed analysis and studies to establish the appropriate land uses in the course of the preparation of OZP.

7.5 Transport and Utility Services

7.5.1 Road Network and Footpath

At present, the Area is accessible by boat via small piers at Lai Chi Wo Village and Sam A Tsuen, and by walking trails leading from Wu Kau Tang and Bride's Pool. Since it is a popular hiking area with "Lai Chi Wo Nature Trail" and a number of footpaths linking from Wu Kau Tang and Bride's Pool, the nature and hiking trails should always be maintained free to public access and should be preserved from development in future.

7.5.2 Utility Services

The Area is provided with electricity and telephone services. Potable water supply has been provided to the existing facilities and villagers in Lai Chi Wo and Sam A Tsuen. For other remote areas such as Mui Tsz Lam and Kop Tong, there is no potable water supply. There are no sewerage and drainage systems. Any new development proposal should be required to demonstrate that no adverse drainage and sewage impact would be caused on the Area.

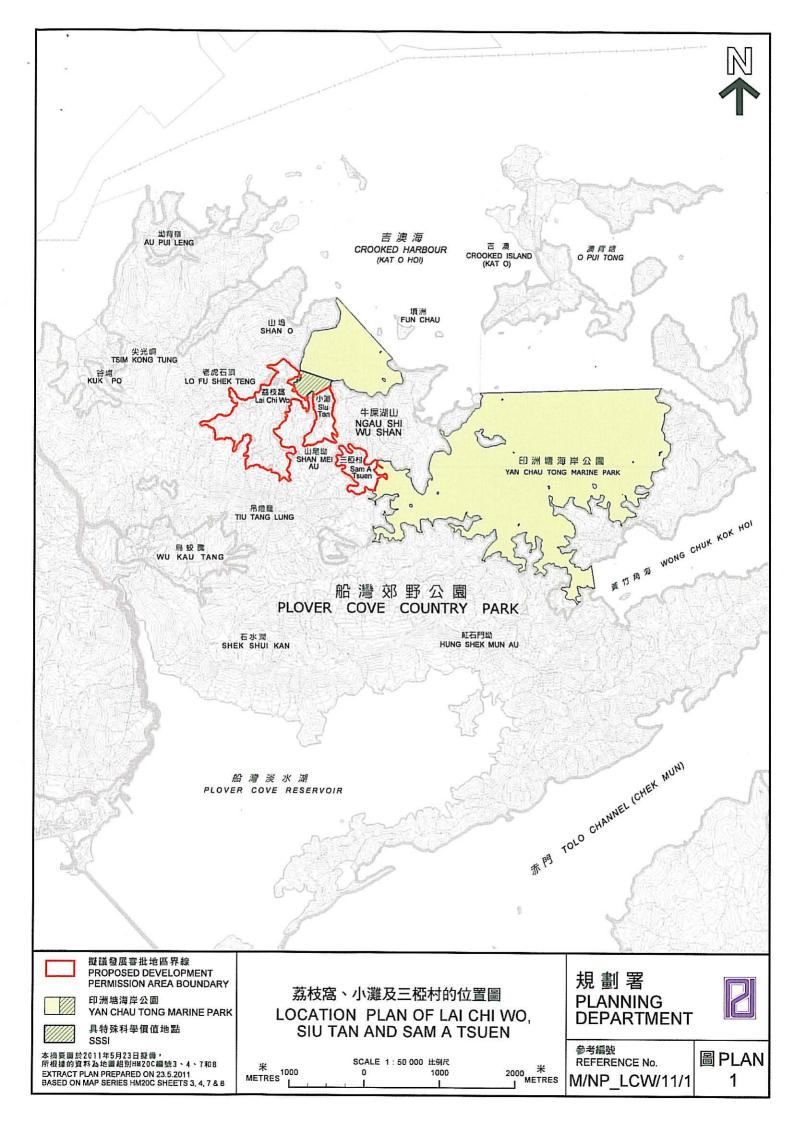
7.6 Cultural Heritage

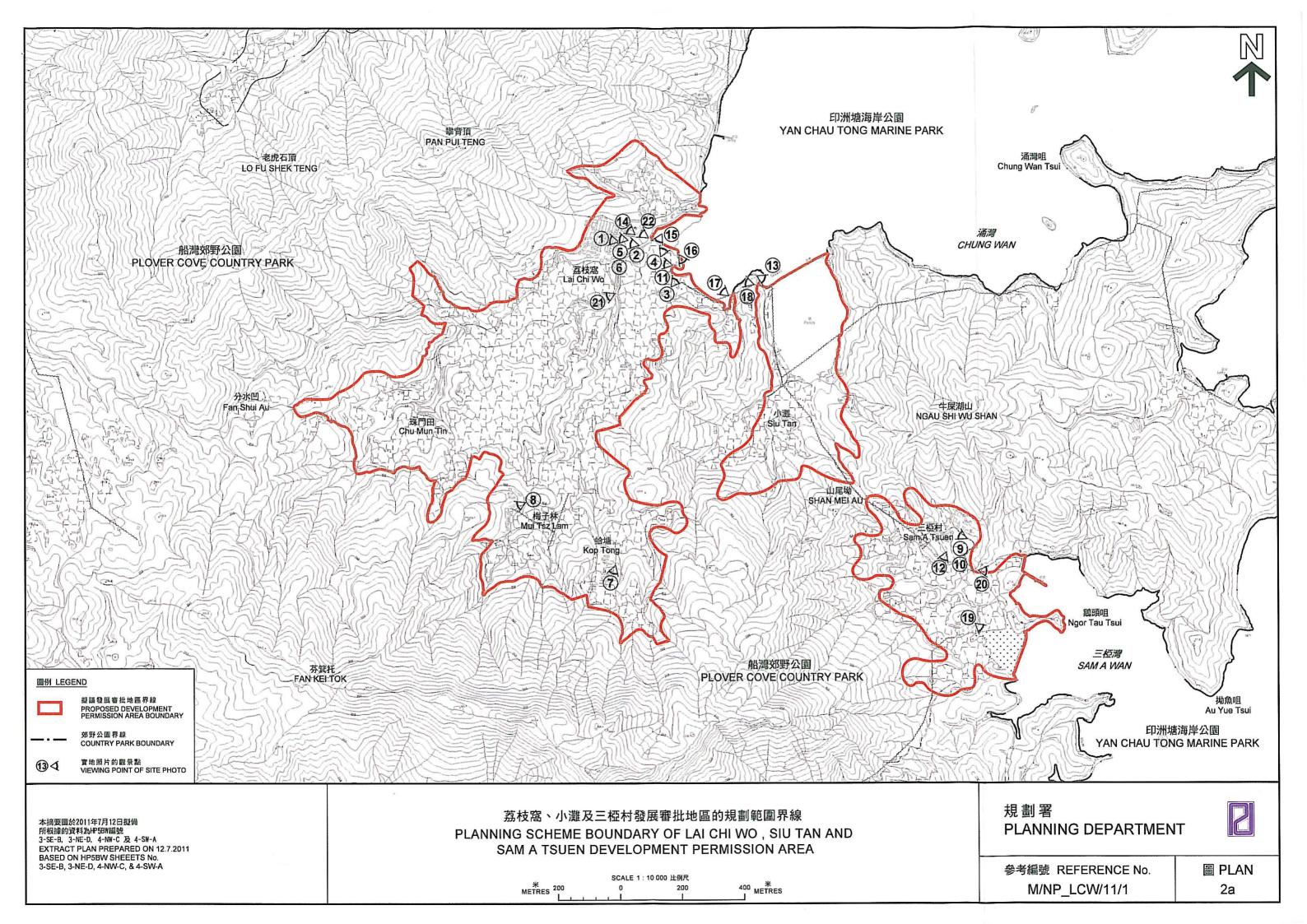
"The Hip Tin Temple & Hok Shan Monastery in Lai Chi Wo is a Grade 3 historic building within the Area. On 19 March 2009, the Antiquities Advisory Board (AAB) released the list of 1,444 historic buildings, in which this building within the Area has been given proposed grading. The proposed grading of this historic building has been endorsed by AAB, which is remarked at the official website of the Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department http://www.amo.gov.hk/. Also, the Lai Chi Wo Site of Archaeological Interest largely falls within the Area. Prehistoric pottery shreds and ceramic shreds of Song, Ming and Qing periods were recorded in 2000. Details of the historic building and site of archaeological interest have been uploaded onto AMO's official website. Prior consultation with AMO and the Commissioner for Heritage's Office of the Development Bureau should be made if any development, redevelopment or rezoning proposals might affect the above historic building or site of archaeological interest and its immediate environs."

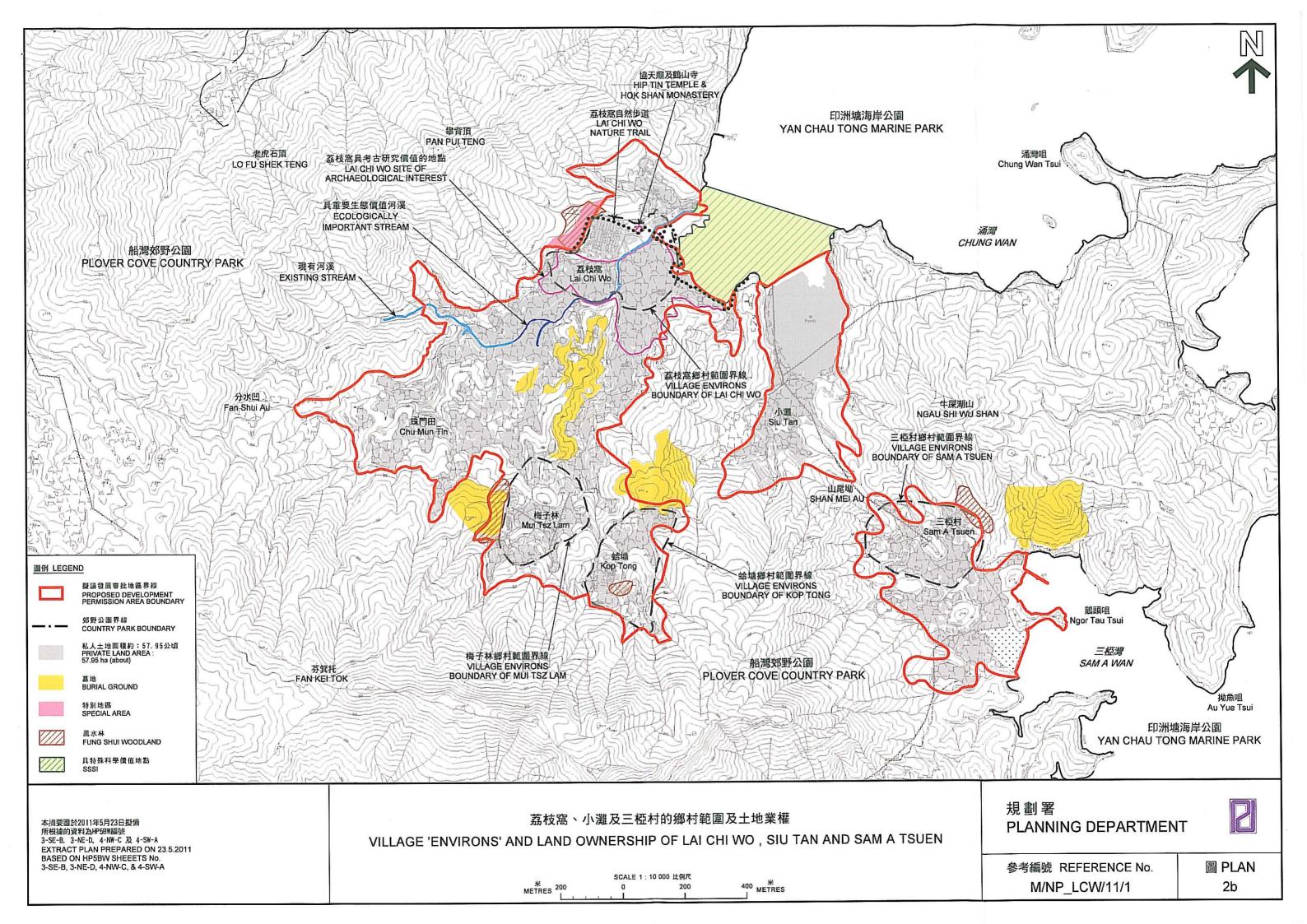
8. PLANNING CONTROL WITHIN THE DEVELOPMENT PERMISSION AREA

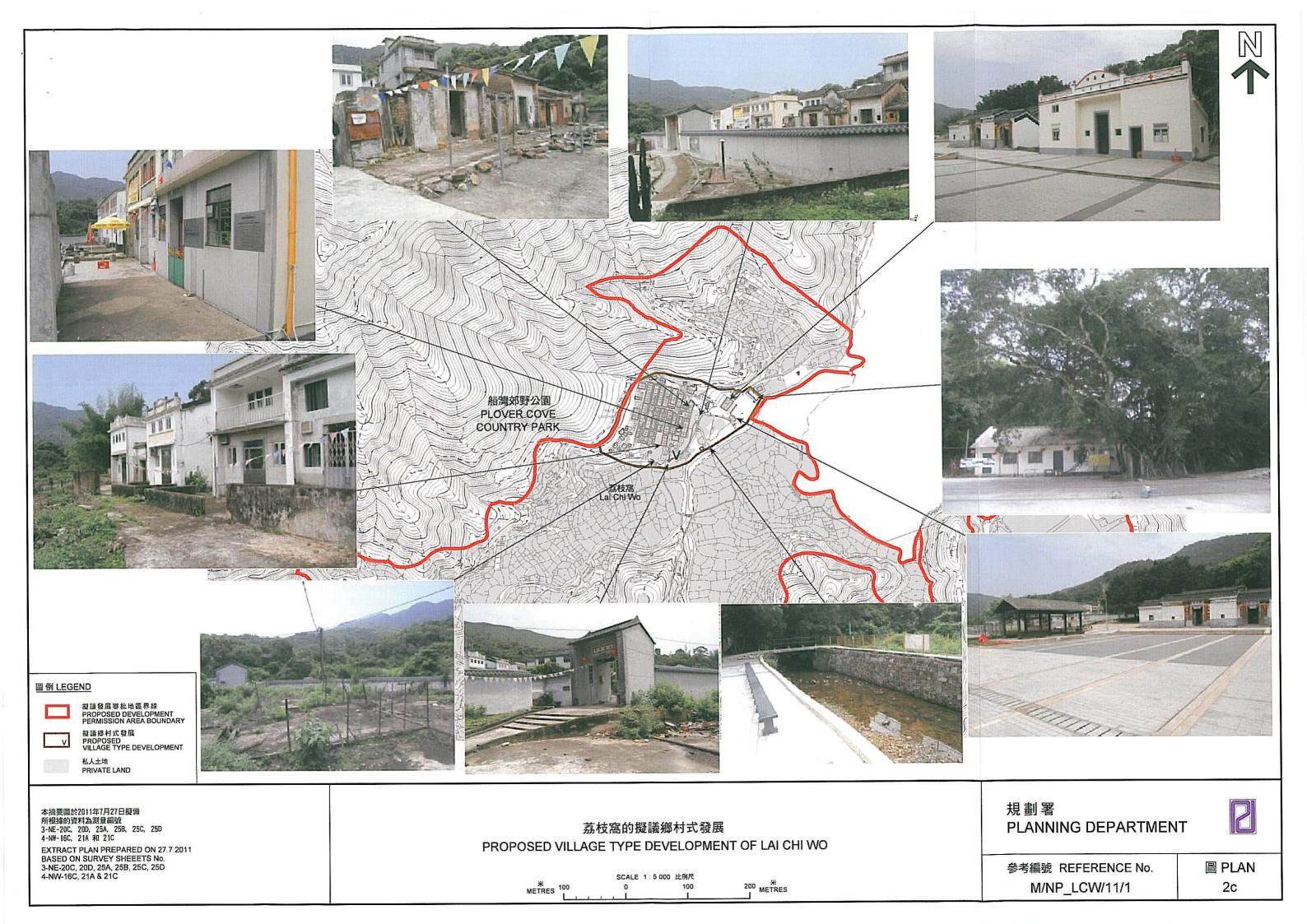
8.1 The types of permitted developments and uses on land within the Area are listed in the Notes to the Plan. Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the

- permitted developments and uses are always permitted and no separate permission is required.
- Uses of land or building which were in existence immediately before the first publication in the Gazette of this 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.
- 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.
- Any development, other than those referred to in paragraph 8.1 above or in conformity with this draft DPA plan or with the permission of the Board, undertaken or continued on or after the date of the first publication in the Gazette of the notice on land included in the DPA plan may be subject to enforcement proceedings under the Ordinance. Any diversion of streams, filling of land/pond or excavation of land within land designated as "Unspecified Use" or any diversion of stream or filling of pond within "V" zone on or after the first publication in the Gazette of the notice of the draft DPA plan without permission from the Board may also be subject to enforcement proceedings.
- 8.5 It is intended that the DPA plan published by the Board will be replaced, within three years, by an OZP. Under the provisions of section 20(5) of the Ordinance, a draft DPA plan is effective for a period of three years after the notification in the Gazette. Extension of one additional year may be given by the Chief Executive in Council. The provision of enforcement will continue to be applicable to the Area after the DPA plan is replaced by an OZP.

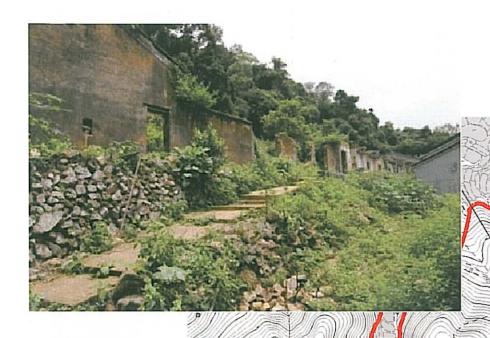




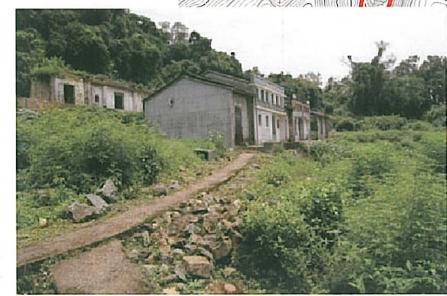














梅子林 Mui Tsz Lam

圖例 LEGEND

提請發展 PROPOSI PERMISS

型語發展審批地區界線 PROPOSED DEVELOPMENT PERMISSION AREA BOUNDARY 投讀鄉村式登區 PROPOSED VILLAGE TYPE DEVELOPMENT



私人土地 PRIVATE LAND

本摘要圖於2011年7月27日挺備 所根據的資料為測量編號 3-NE-25C, 25D, 3-SE-5A, 5D 4-NW-21C 和 4-SW-1A

EXTRACT PLAN PREPARED ON 27.7.2011 BASED ON SURVEY SHEETS No. 3-NE-25C, 25D, 3-SE-5A, 5D 4-NW-21C & 4-SW-1A

荔枝窩的擬議鄉村式發展 PROPOSED VILLAGE TYPE DEVELOPMENT OF LAI CHI WO

* SCALE 1:5000 比例尺 * 0 100 METRES 100 0 100

200 * METRES 規劃署 PLANNING DEPARTMENT



參考編號 REFERENCE No. M/NP_LCW/11/1

圖 PLAN 2d

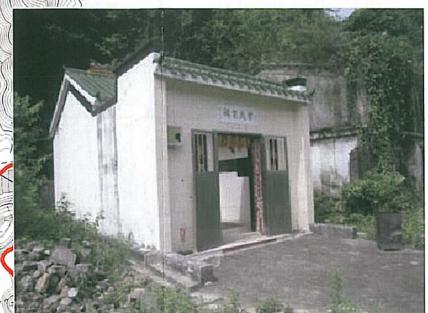


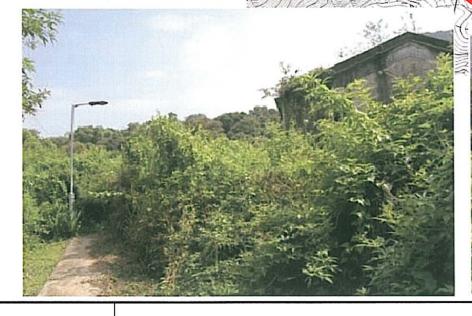














圖例 LEGEND

挺議發展審批地區界線 PROPOSED DEVELOPMENT PERMISSION AREA BOUNDARY 挺讀鄉村式發展 PROPOSED VILLAGE TYPE DEVELOPMENT



私人土地 PRIVATE LAND

本摘要圖於2011年7月27日投備 所根據的資料為測量編號 4-W-21C, 21D, 4-SW-1A和1B EXTRACT PLAN PREPARED ON 27.7.2011 BASED ON SURVEY SHEEETS No. 4-NW-21C, 21D, 4-SW-1A & 1B

荔枝窩的擬議鄉村式發展 PROPOSED VILLAGE TYPE DEVELOPMENT OF LAI CHI WO

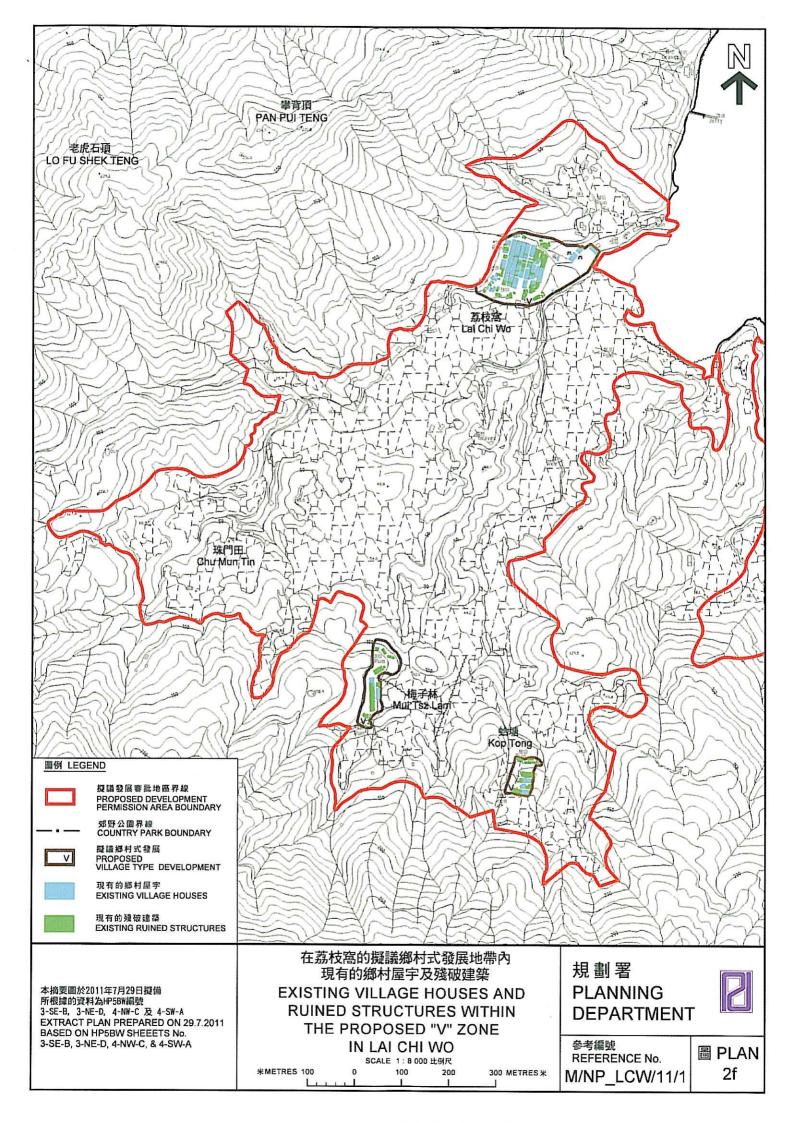
200 ** METRES

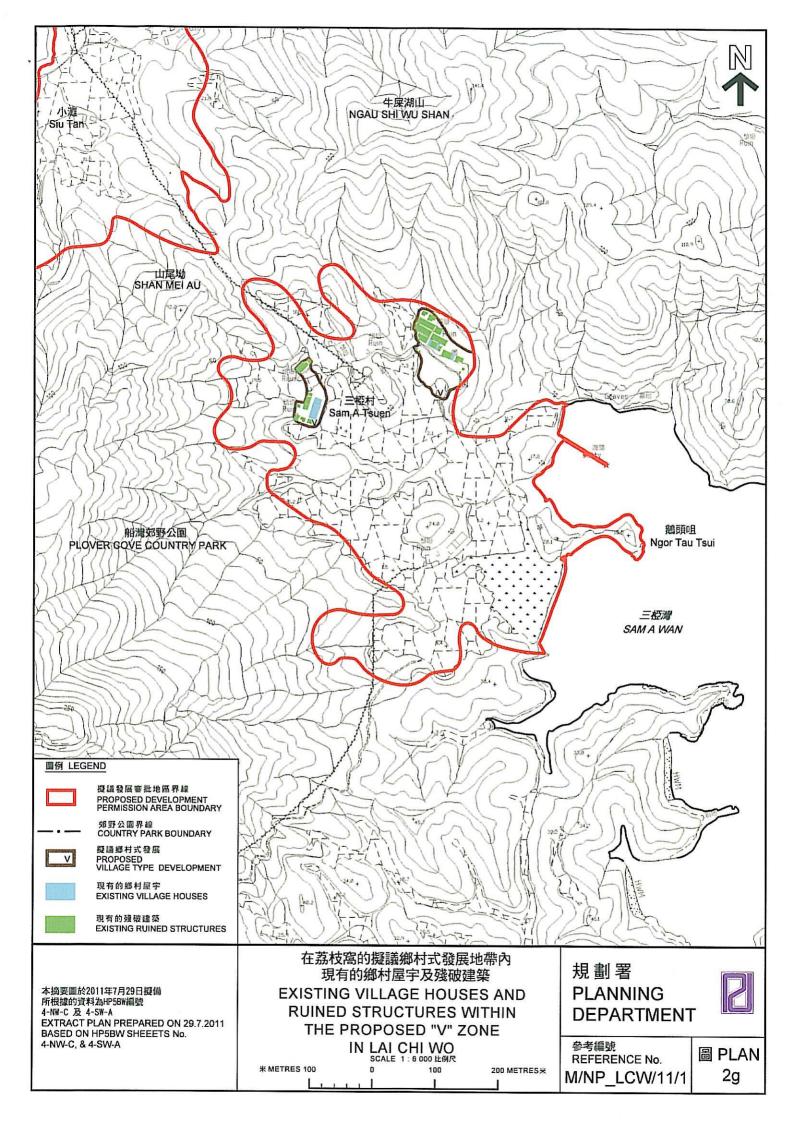
規劃署 PLANNING DEPARTMENT



參考編號 REFERENCE No. M/NP_LCW/11/1

圖 PLAN 2e







本摘要圖於2011年5月23日變備,所根據的資料為地政總署 於2010年11月9日拍得的航攝照片 編號CW88272,CW88274,CW88311和CW88314

EXTRACT PLAN PREPARED ON 23.5.2011 BASED ON AERIAL PHOTOS No. CW88272, CW88274, CW88311 & CW88314 TAKEN ON 9.11.2010 BY LANDS DEPARTMENT

荔枝窩、小灘及三椏村發展審批地區的規劃範圍界線 PLANNING SCHEME BOUNDARY OF LAI CHI WO, SIU TAN AND SAM A TSUEN DEVELOPMENT PERMISSION AREA

PLANNING DEPARTMENT



參考編號 REFERENCE No. M/NP_LCW/11/1

圖 PLAN 3





荔枝窩村 LAI CHI WO VILLAGE

本圖於2011年7月7日擬備,所根據的 資料為攝於2011年5月26日的實地照片 PLAN PREPARED ON 7.7.2011 BASED ON SITE PHOTOS TAKEN ON 26.5.2011 實地照片 SITE PHOTO

荔枝窩 LAI CHI WO 規劃署 PLANNING DEPARTMENT



參考編號 REFERENCE No. M/NP_LCW/11/1

圖 PLAN 4a





荔枝窩自然步道 LAI CHI WO NATURE TRAIL

本圖於2011年7月7日投備,所根據的 資料為攝於2011年5月26日的實地照片 PLAN PREPARED ON 7.7.2011 BASED ON SITE PHOTOS TAKEN ON 26.5.2011 實地照片 SITE PHOTO

荔枝窩 LAI CHI WO 規劃署 PLANNING DEPARTMENT



參考編號 REFERENCE No. M/NP_LCW/11/1

圖 PLAN 4b





荔枝窩村 LAI CHI WO VILLAGE

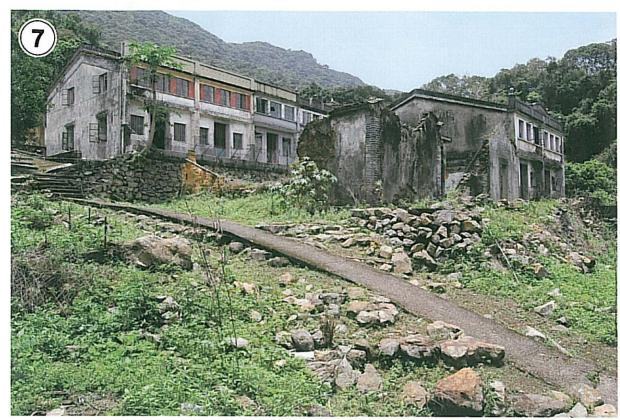
本圖於2011年7月7日提備,所根據的 資料為攝於2011年5月26日的實地照片 PLAN PREPARED ON 7.7.2011 BASED ON SITE PHOTOS TAKEN ON 26.5.2011 實地照片 SITE PHOTO

荔枝窩 LAI CHI WO 規劃署 PLANNING DEPARTMENT



參考編號 REFERENCE No. M/NP_LCW/11/1

圖 PLAN 4c



蛤塘 KOP TONG



梅子林 MUI TSZ LAM

本圖於2011年7月7日授備,所根據的 資料為攝於2011年5月26日的實地照片 PLAN PREPARED ON 7.7.2011 BASED ON SITE PHOTOS TAKEN ON 26.5.2011 實地照片 SITE PHOTO

荔枝窩 LAI CHI WO

規劃署 PLANNING DEPARTMENT



參考編號 REFERENCE No. M/NP_LCW/11/1

圖 PLAN 4d





本圖於2011年7月7日授備,所根據的 資料為攝於2011年5月26日的實地照片 PLAN PREPARED ON 7.7.2011 BASED ON SITE PHOTOS TAKEN ON 26.5.2011 實地照片 SITE PHOTO

三椏村 SAM A TSUEN 規劃署 PLANNING DEPARTMENT



參考編號 REFERENCE No. M/NP_LCW/11/1

圖 PLAN 4e





三椏村 SAM A TSUEN

本圖於2011年7月7日投備,所根據的 資料為攝於2011年5月26日的實地照片 PLAN PREPARED ON 7.7.2011 BASED ON SITE PHOTOS TAKEN ON 26.5.2011

實地照片 SITE PHOTO

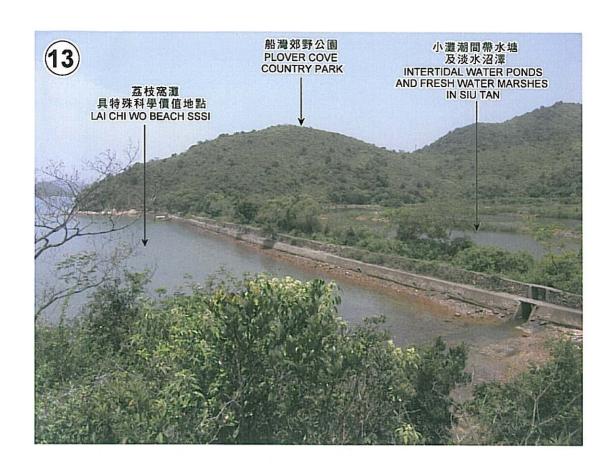
荔枝窩及三椏村 LAI CHI WO AND SAM A TSUEN

規劃署 PLANNING DEPARTMENT



參考編號 REFERENCE No. M/NP_LCW/11/1

圖 PLAN 4f





本圖於2011年7月7日擬備,所根據的 資料為攝於2011年5月26日的實地照片 PLAN PREPARED ON 7.7.2011 BASED ON SITE PHOTOS TAKEN ON 26.5.2011 實地照片 SITE PHOTO

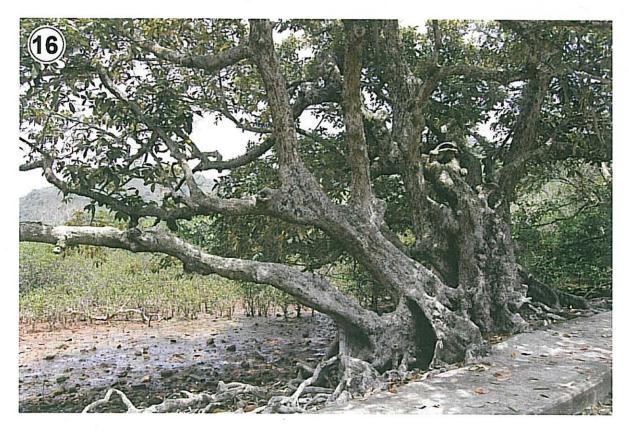
荔枝窩及小灘 LAI CHI WO AND SIU TAN 規劃署 PLANNING DEPARTMENT



參考編號 REFERENCE No. M/NP_LCW/11/1

圖 PLAN 4g





本圖於2011年7月7日提備,所根據的 資料為攝於2011年5月26日的實地照片 PLAN PREPARED ON 7.7.2011 BASED ON SITE PHOTOS TAKEN ON 26.5.2011 實地照片 SITE PHOTO

荔枝窩 LAI CHI WO 規劃署 PLANNING DEPARTMENT









本圖於2011年7月7日挺備,所根據的 資料為攝於2011年5月26日的實地照片 PLAN PREPARED ON 7.7.2011 BASED ON SITE PHOTOS TAKEN ON 26.5.2011 實地照片 SITE PHOTO

荔枝窩 LAI CHI WO 規劃署 PLANNING DEPARTMENT









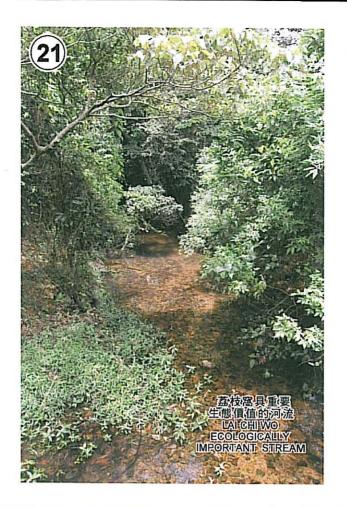
三 椏 村 東 面 EASTERN PART OF SAM A TSUEN

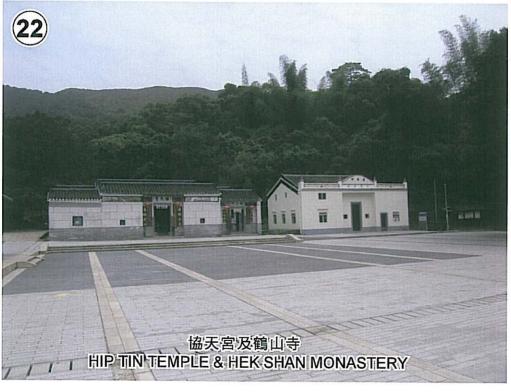
本圖於2011年7月7日授備,所根據的 資料為攝於2011年5月26日的實地照片 PLAN PREPARED ON 7.7.2011 BASED ON SITE PHOTOS TAKEN ON 26.5.2011 實地照片 SITE PHOTO

三椏村 SAM A TSUEN 規劃署 PLANNING DEPARTMENT









本圖於2011年7月7日挺備,所根據的 資料為攝於2011年5月26日的實地照片 PLAN PREPARED ON 7.7.2011 BASED ON SITE PHOTOS TAKEN ON 26.5.2011 實地照片 SITE PHOTO

荔枝窩 LAI CHI WO 規劃署 PLANNING DEPARTMENT



