



## **TOWN PLANNING BOARD**

**TPB PAPER NO. 9720  
FOR CONSIDERATION BY  
THE TOWN PLANNING BOARD  
ON 1.8.2014**

**DRAFT YIM TIN TSAI AND MA SHI CHAU  
OUTLINE ZONING PLAN NO. S/NE-YTT/D  
FURTHER CONSIDERATION OF A NEW PLAN**

**DRAFT YIM TIN TSAI AND MA SHI CHAU  
OUTLINE ZONING PLAN NO. S/NE-YTT/D  
FURTHER CONSIDERATION OF A NEW PLAN**

**1. Introduction**

The purposes of this paper are to:

- (a) report on the results of the consultation with the Tai Po District Council (TPDC) and the Tai Po Rural Committee (TPRC) on the draft Yim Tin Tsai and Ma Shi Chau Outline Zoning Plan (OZP) No. S/NE-YTT/C; and
- (b) seek Members' agreement that the draft Yim Tin Tsai and Ma Shi Chau OZP No. S/NE-YTT/D, its Notes and Explanatory Statement (ES) (**Annex I to III**) are suitable for public inspection under section 5 of the Town Planning Ordinance (the Ordinance).

**2. Background**

- 2.1 On 20.6.2014, the Town Planning Board (the Board) gave preliminary consideration to the draft Yim Tin Tsai and Ma Shi Chau OZP No. S/NE-YTT/C (TPB Paper No. 9615) and agreed that the draft OZP was suitable for submission to the TPDC and TPRC for consultation. An extract of the minutes of the Board's meeting held on 20.6.2014 and TPB paper No. 9615 are at **Annexes IV and V** respectively for Members' reference.
- 2.2 Major land use proposals of the draft OZP have been highlighted in the TPB Paper No. 9615 and recapitulated below (**Plan 1**) :

**"Country Park ("CP") (57.84 ha and 53.58%) (Plan 1)**

- (a) Country Park means a country park or special area as designated under the Country Parks Ordinance (Cap. 208). This zone covers the whole island of Yeung Chau, small island to the northeast of Yim Tin Tsai (except three pockets of "Green Belt" ("GB") zone) and the whole island of Ma Shi Chau (except parcel of land at Shui Mong Tin and a circular area zoned as "Site of Special Scientific Interest" ("SSSI") on the northeast of Shui Mong Tin). These areas<sup>1</sup> were designated as Ma Shi Chau Special Area on 9.4.1999.

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<sup>1</sup> Including A Chau which is outside the OZP scheme boundary.



**“Site of Special Scientific Interest” (“SSSI”) (7.24 ha and 6.69%) (Plan 1)**

- (b) This zone mainly covers the eastern tip of Yim Tin Tsai, Shui Mong Tin of Ma Shi Chau, the tombolo connecting them and a small circular area to the northeast of Shui Mong Tin, forming part of the Yim Tin Tsai and Ma Shi Chau SSSI but not covered by the Ma Shi Chau Special Area. The SSSI was designated since 24.9.1982. Yim Tin Tsai and its surrounding area contain the best exposed, densest swarm of dyke varied from 3 to 20m wide. Yim Tin Tsai also contains unconformable contact of Tolo Harbour Formation with volcanic tuff of the Yim Tin Tsai Formation.

**“Coastal Protection Area” (“CPA”) (9.01 ha and 8.35%) (Plan 1)**

- (c) This zone covers the coastal areas along southern, western and north-eastern parts of Yim Tin Tsai which primarily consist of coastal vegetation, rocky and boulder coasts fringing Yim Tin Tsai. This zone also covers Yim Tin Tsai Site of Archaeological Interest.

**“Green Belt” (“GB”) (28.67 ha and 26.56%) (Plan 1)**

- (d) The “GB” zone mainly covers the vegetated hill slopes of the central and southern part of Yim Tin Tsai and the coastal area of the north-eastern part of Yim Tin Tsai as well as the three pockets of land on the small island northeast of Yim Tin Tsai. There are two traditional burial grounds at the southern part of the Yim Tin Tsai which are within this zone. They have been in existence for many years, which are considered as existing use and intended for burial places of deceased indigenous villagers in the Area.

**“Residential (Group C)” (“R(C)”) (0.29 ha and 0.27%) (Plan 1)**

- (e) The only development within this zone is Springdale Garden located at the northern tip of Yim Tin Tsai, which is a low-rise, low-density residential development. The development is restricted to a maximum gross floor area of 2,325m<sup>2</sup> and a maximum building height of 3 storeys, or the gross floor area and height of the existing building, whichever is the greater.

**“Residential (Group D)” (“R(D)”) (3.73 ha and 3.46%) (Plan 1)**

- (f) This zone mainly covers Sam Mun Tsai San Tsuen, Luen Yick Fishermen Village and the surrounding area. The two villages were built in the 1960s and 1970s by the government and charity groups for the re-settlement of villagers and fishermen-affected by Government projects at that time. Luen Yick Fishermen Village is not a recognized village whilst Sam Mun Tsai San Tsuen is a recognized village with the village ‘environs’ (‘VE’) drawn up in 1999.

**“Government, Institution or Community” (“G/IC”) (0.72 ha and 0.67%) (Plan 1)**

- (g) The “G/IC” zone covers the areas currently used as a church, a vacant village school in Yim Tin Tsai and the site proposed for village office at Luen Yick Fishermen Village. An area at the northern tip of Yim Tin Tsai is reserved for government, institution or community purpose.

**“Open Space” (“O”) (0.42 ha and 0.39%) (Plan 1)**

- (h) The “O” zone covers the Sam Mun Tsai Children’s Playground and an open area with a rain shelter at Luen Yick Fishermen Village.

**“Other Specified Uses” annotated “Pier” (“OU (Pier)”) (0.03 ha and 0.03%) (Plan 1)**

- (i) There is only one “OU” zone on the Plan, which is annotated ‘Pier’ and covers two sites presently used as piers located at north and west of Yim Tim Tsai respectively.

### **3. Local Consultation**

- 3.1 The TPRC and TPDC were consulted on the draft OZP on 8.7.2014 and 9.7.2014 respectively. They all expressed objection to the draft OZP mainly in that they considered the proposed “R(D)” zone could not satisfy the housing/redevelopment need of the villagers and the conservation zones had taken away the development right of the private land. Major points of their concerns on land use zonings on the draft OZP are highlighted below:

**Opposing to Conservation Zones**

- (a) Most of the land in the area are under conservation zonings leaving few land for development to cater for the need of the local villagers. There is strong sentiment against prohibition of development on private land within the “SSSI” zone which deprives the development rights of private land owners without any compensation and is in breach of the Basic Law in safeguarding the private property rights. It is unfair to the private land owners.
- (b) The “SSSI” zone overlaps with the permitted burial grounds and it is meaningless for such zoning as all the land area is mostly occupied with graves. Consideration should be given to relocate the burial grounds.

**Opposing to the “GB” zone north and southeast of Luen Yick Fishermen Village**

- (c) For the portion of land southeast of Luen Yick Fishermen Village, there are many private lots and within the ‘VE’ and should be zoned “V”. For the portion of land north of Luen Yick Fishermen Village, the area had been hard paved and currently used for parking of vehicles.

**Opposing to “R(D)” zone and its development restrictions**

- (d) The development parameters of the “R(D)” zoning is too restrictive in terms of building height and plot ratio. The “R(D)” zone cannot cater for the housing/redevelopment needs of the local villagers. Both TPRC and TPDC consider it appropriate to have a “Village Type Development” (“V”) zone for the area in view of the historical background (viz Sam Mun Tsai San Tsuen is a recognized village and Small House development should be allowed in the ‘VE’), the current living conditions and the future development need of the area.
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- (e) They also consider that the proposed building height of 2 storeys (6m) under “R(D)” zone is too restrictive and the building height for the area should be relaxed to 3 storeys instead.

#### Other Public Views

- 3.2 No comments have been received from the local villagers and the environmental/concern groups.

#### **4. Planning Department’s Responses**

- 4.1 In consultation with departments concerned, the Planning Department (PlanD)’s responses to the above comments/proposals are as follows:

##### Opposing to Conservation Zones

- (a) The Yim Tin Tsai and Ma Shi Chau SSSI was designated since 24.9.1982. The “SSSI” zone on the Development Permission Area Plan is to reflect part of the land falling within the SSSI designation but not covered by the Ma Shi Chau Special Area so as to provide planning guidance and development control and for the area. There is no change in the “SSSI” zoning since the DPA Plan was first exhibited on 2.9.2011 under section 5 of the Ordinance.
- (b) The planning intention of “SSSI” zone is to conserve and protect features of special scientific interest. There is a general presumption against development in this zone. Director of Agriculture, Fisheries and Conservation (DAFC) considers that any proposal to allow house development in “SSSI” would have undesirable precedent for other “SSSI” zones across the territory. He does not support any proposal to allow house development in the “SSSI” zone.
- (c) Private land within conservation zonings such as “GB” and “SSSI” zones is primarily demised for agricultural purpose under the Block Government lease. Since ‘Agricultural Use’ is always permitted within “GB” zone or on application within “SSSI” zone, there is no deprivation of the rights of the landowners. On compensation for the loss of land value of the private land within conservation zonings, there is no provision under the Ordinance for compensation due to curtailment of rights by planning action.

##### Opposing to the “GB” zone north and southeast of Luen Yick Fishermen Village

- (d) The area to the southeast of Luen Yick Fishermen Village are mainly covered with dense vegetation. “GB” zone is considered appropriate to protect the existing green areas,
  - (e) The area to the north of Luen Yick Fishermen Village is partly vacant and partly hard paved. Having considered the current site condition and the views of TPRC and TPDC, it is proposed to rezone the concerned area (0.34 ha) from “GB” to “R(D)” (**Plan 5**).
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Opposing to “R(D)” zone

- (f) There are two villages in the area, namely Sam Mun Tsai San Tsuen and Luen Yick Fishermen Village comprising mainly 2-storey tenement houses (**Plan 4a and 4b**). The Luen Yick Fishermen Village (107 building units) was constructed in 1975 and are covered by a Government Land Licence. Sam Mun Tsai San Tsuen (163 building units) was constructed in 1965 for re-housing of villagers affected by the construction project of Plover Cove Reservoir. Although Sam Mun Tsai San Tsuen is a recognized village with ‘VE’, there is no Indigenous Inhabitant Representative and indigenous villagers of Sam Mun Tsai San Tsuen. There is also no Small House demand nor outstanding Small House application, and no information to ascertain that the existing residents are indigenous villagers of Sam Mun Tsai San Tsuen eligible for Small House grant under the current Small House policy.
- (g) With reference to the circumstances of the two villages, the site conditions of the area taking account of the existing village settlement, environmental conditions and natural terrain of the area, “R(D)” zoning is considered appropriate for the area covering both Luen Yick Fishermen Village and Sam Mun Tsai San Tsuen and the surrounding area which are mainly domestic and temporary structures with 2-storey in height. “R(D)” zoning is intended primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board.
- (h) In the event that there is Small House application from indigenous villagers, there is provision under the Notes of the OZP for planning application of House (including New Territories Exempted House (NTEH)/Small House) development within the “R(D)” zone which can duly address the concerns of the TPDC and TPRC mentioned in para. 3.1(d) above. Besides, for NTEH developments within “R(D)” zone, they can be built up to 3 storeys. For other types of house development, there is also provision for minor relaxation of building height restrictions and each application will be considered on its individual planning merits by the Board.
- (i) According to para. 8(e) and (f) of the covering Notes of the OZP, rebuilding of NTEH and replacement of an existing domestic building<sup>2</sup> by a NTEH are always permitted within the boundary of the OZP except areas zoned “SSSI” and “CPA” subject to the terms of the OZP.

4.2 In summary, except about 0.34ha of land to be rezoned from “GB” to “R(D)” to reflect the existing site conditions at area north of Luen Yick Fishermen Village (**Plan 5**), no other zoning amendments to the previous draft OZP have been proposed and the land use zonings on the draft OZP (No. S/NE-YTT/D) are considered appropriate.

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<sup>2</sup> 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

- 4.3 A comparison of land use zonings on the draft Yim Tim Tsai and Ma Shi Chau OZP No. S/NE-YTT/D and the previous draft OZP No. S/NE-YTT/C is shown in the table below:

Zoning	Draft Yim Tim Tsai and Ma Shi Chau OZP No. S/NE-YTT/C (ha / %)		Draft Yim Tim Tsai and Ma Shi Chau OZP No. S/NE-YTT/D (ha / %)		Increase/Decrease (ha / %)	
“R(C)”	0.29 ha	0.27%	0.29 ha	0.27%	No change	No change
“R(D)”	3.73 ha	3.46%	4.07 ha	3.77%	+0.34 ha	+9.11%
“G/IC”	0.72 ha	0.67%	0.72 ha	0.67%	No change	No change
“O”	0.42 ha	0.39%	0.42 ha	0.39%	No change	No change
“OU(Pier)”	0.03 ha	0.03%	0.03 ha	0.03%	No change	No change
“GB”	28.67 ha	26.56%	28.33 ha	26.24%	-0.34 ha	-1.19%
“CPA”	9.01 ha	8.35%	9.01 ha	8.35%	No change	No change
“SSSI”	7.24 ha	6.69%	7.24 ha	6.69%	No change	No change
“CP”	57.84 ha	53.58%	57.84 ha	53.58%	No change	No change
<b>Total</b>	<b>107.95 ha</b>	<b>100%</b>	<b>107.95 ha</b>	<b>100%</b>	No change	No change

## 5. Consultation

The TPDC and TPRC will be consulted after the Board’s agreement to the publication of the draft Yim Tin Tsai and Ma Shi Chau OZP under section 5 of the Ordinance during the exhibition period of the OZP.

## 6. Decision Sought

Members are invited to:

- note the comments from and responses to the TPDC and TPRC on the draft Yim Tin Tsai and Ma Shi Chau OZP No. S/NE-YTT/C;
- agree that the draft Yim Tin Tsai and Ma Shi Chau OZP (to be renumbered as S/NE-YTT/1 upon gazetting) and its Notes (**Annexes I and II**) are suitable for exhibition for public inspection under section 5 of the Ordinance;
- adopt the Explanatory Statement (**Annex III**) as an expression of the planning intentions and objectives of the Board for various land use zonings of the draft Yim Tin Tsai and Ma Shi Chau OZP No. S/NE-YTT/D; and
- agree that the Explanatory Statement is suitable for exhibition for public inspection together with the draft OZP and issued under the name of the Board.

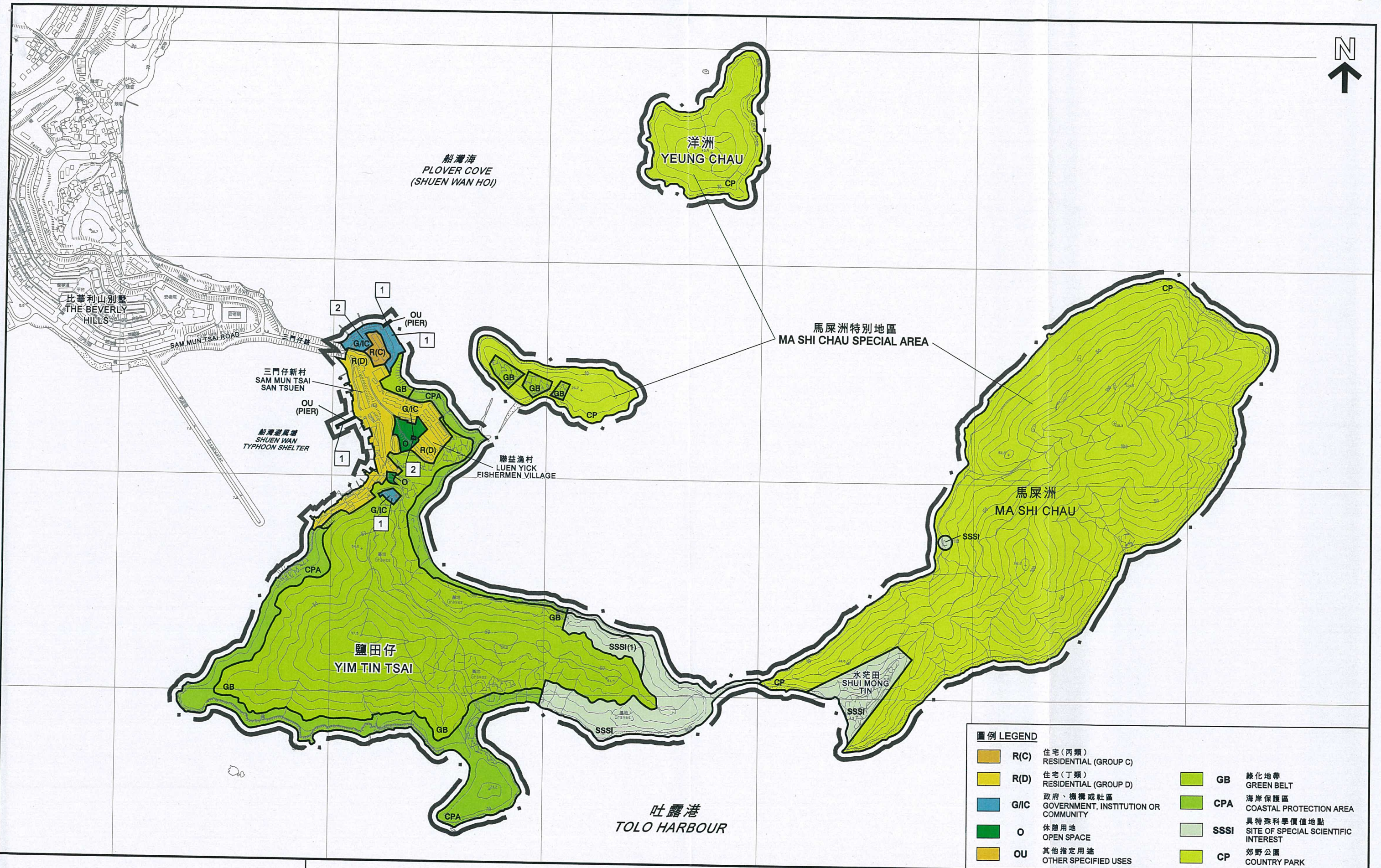
## **7. Attachments**

<b>Plan 1</b>	Proposed land uses
<b>Plan 2</b>	Aerial Photo
<b>Plan 3</b>	Proposed land uses with Existing Physical Features
<b>Plan 4a</b>	Site Photos of Tenement Buildings at Luen Yick Fisherman Village
<b>Plan 4b</b>	Site Photos of Village Houses, Temporary Structures and Tenement Buildings at Sam Mun Tsai San Tsuen
<b>Plan 5</b>	Proposed Amendment from “GB” to “R(D)”
<b>Annex I</b>	Draft Yim Tin Tsai and Ma Shi Chau OZP No. S/NE-YTT/D
<b>Annex II</b>	Notes of the Draft Yim Tin Tsai and Ma Shi Chau OZP No. S/NE- YTT/D
<b>Annex III</b>	Explanatory Statement of the Draft Yim Tin Tsai and Ma Shi Chau OZP No. S/NE- YTT/D
<b>Annex IV</b>	Extract of Minutes of the Town Planning Board Meeting held on 20.6.2014
<b>Annex V</b>	TPB Paper No. 9615 (considered by the Board on 20.6.2014)










**PLANNING DEPARTMENT**  
**AUGUST 2014**

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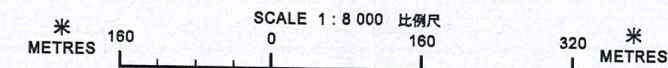


圖例 LEGEND

	R(C)	住宅(丙類) RESIDENTIAL (GROUP C)		GB	綠化地帶 GREEN BELT
	R(D)	住宅(丁類) RESIDENTIAL (GROUP D)		CPA	海岸保護區 COASTAL PROTECTION AREA
	G/I/C	政府、機構或社區 GOVERNMENT, INSTITUTION OR COMMUNITY		SSSI	具特殊科學價值地點 SITE OF SPECIAL SCIENTIFIC INTEREST
	O	休憩用地 OPEN SPACE		CP	郊野公園 COUNTRY PARK
	OU	其他指定用途 OTHER SPECIFIED USES			

本摘要圖於2014年7月24日擬備，  
所根據的資料為HP5BW編號3-SE-C、D及7-NE-A、B  
EXTRACT PLAN PREPARED ON 24.7.2014  
BASED ON HP5BW SHEETS No. 3-SE-C & D AND 7-NE-A & B

PROPOSED LAND USE  
鹽田仔及馬屎洲  
YIM TIN TSAI AND MA SHI CHAU



規劃署  
PLANNING  
DEPARTMENT  
參考編號  
REFERENCE No.  
M/TP/14/37



PLAN  
1





LEGEND  
研究範圍  
STUDY AREA

本摘要圖於2014年7月11日擬備，  
所根據的資料為地政總署  
於2013年1月7日拍得的航攝照片編號CW101210  
EXTRACT PLAN PREPARED ON 11.7.2014  
BASED ON AERIAL PHOTO No. CW101210  
TAKEN ON 7.1.2013 BY LANDS DEPARTMENT

航攝照片  
AERIAL PHOTO

規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
M/TP/14/37

PLAN  
2









聯益漁村的平房  
TENEMENT BUILDINGS AT LUEN YICK FISHERMEN VILLAGE





三門仔新村的村屋、臨時構築物及平房  
VILLAGE HOUSES, TEMPORARY STRUCTURES AND TENEMENT BUILDINGS  
AT SAM MUN TSAI SAN TSUEN

本摘要圖於2014年7月11日擬備  
EXTRACT PLAN PREPARED ON 11.7.2014

實地照片  
SITE PHOTOS

規劃署  
PLANNING  
DEPARTMENT

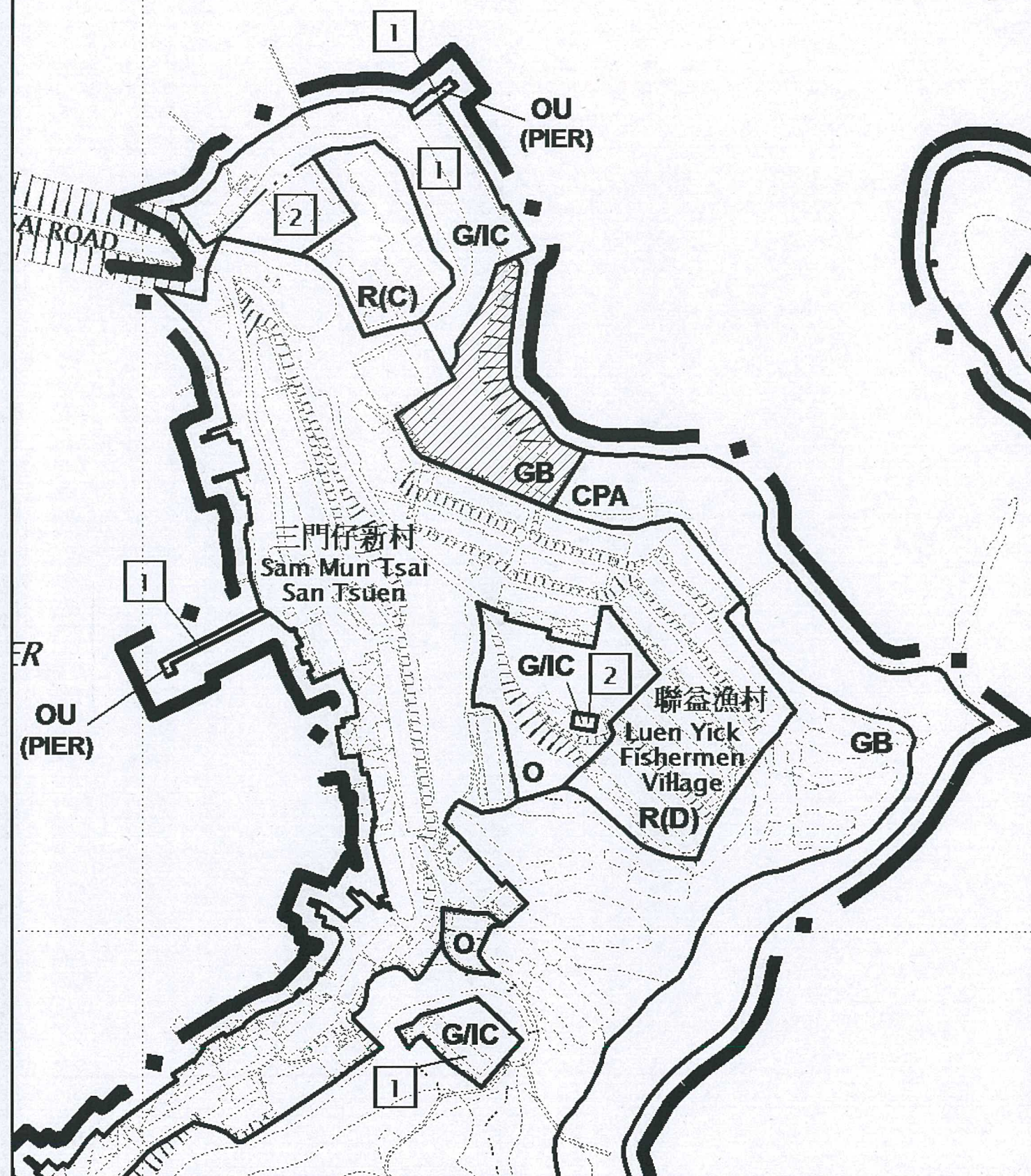
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REFERENCE No.  
M/TP/14/37



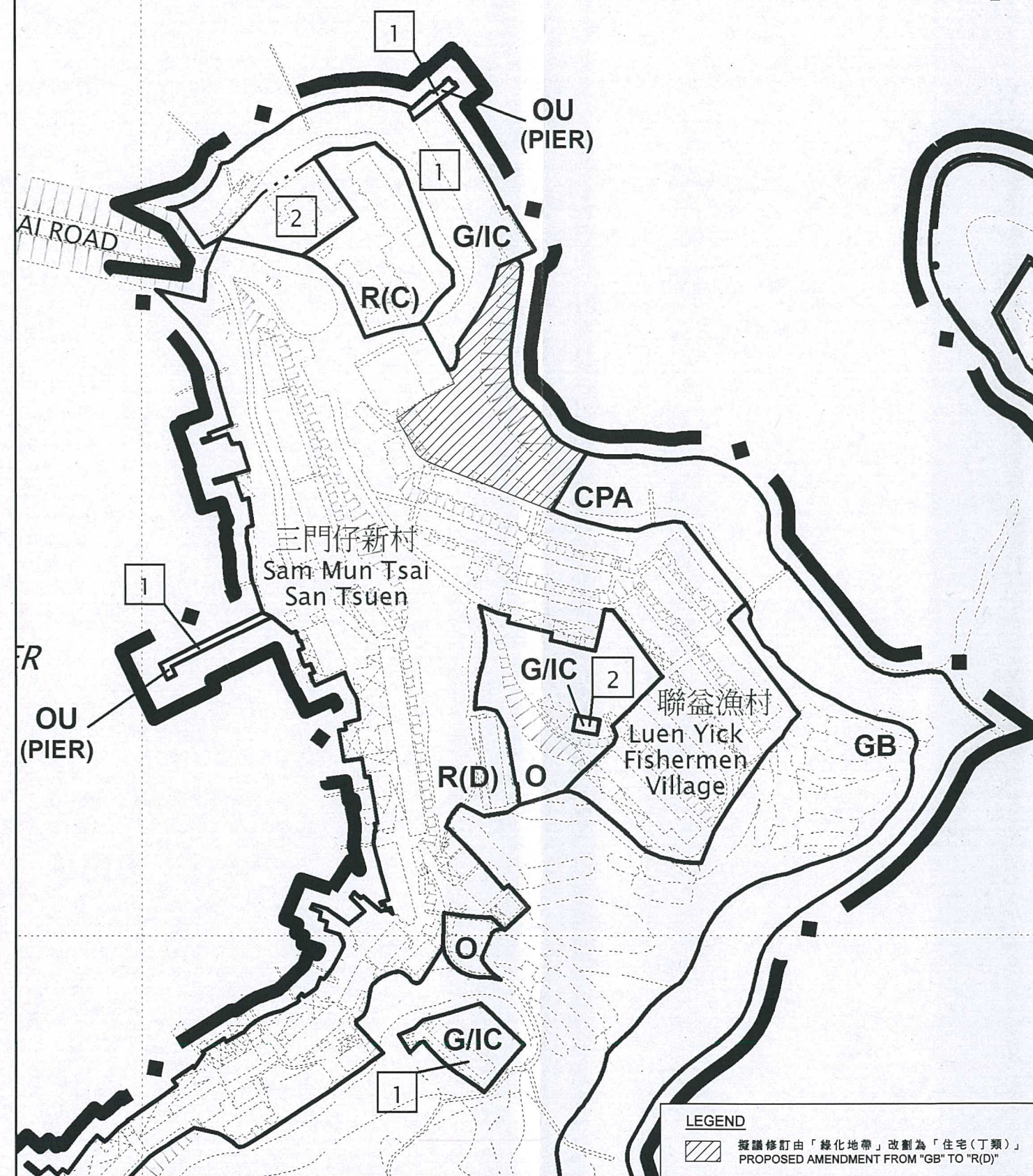
PLAN  
4b



S/NE-YTT/C



S/NE-YTT/D



本摘要圖於2014年7月24日擬備  
EXTRACT PLAN PREPARED ON 24.7.2014

進一步考慮《鹽田仔及馬屎洲分區計劃大綱草圖編號S/NE-YTT/D》  
DRAFT YIM TIN TSAI AND MA SHI CHAU OUTLINE ZONING PLAN NO. S/NE-YTT/D  
FURTHER CONSIDERATION OF A NEW PLAN

規劃署  
PLANNING DEPARTMENT



參考編號  
REFERENCE No.  
M/TP/14/37

圖 PLAN  
5



圖例  
NOTATION

ZONES		地帶
RESIDENTIAL (GROUP C)	R(C)	住宅（丙類）
RESIDENTIAL (GROUP D)	R(D)	住宅（丁類）
GOVERNMENT, INSTITUTION OR COMMUNITY	G/I/C	政府、機構或社區
OPEN SPACE	O	休憩用地
OTHER SPECIFIED USES	OU	其他指定用途
GREEN BELT	GB	綠化地帶
COASTAL PROTECTION AREA	CPA	海岸保護區
SITE OF SPECIAL SCIENTIFIC INTEREST	SSSI	具特殊科學價值地點
COUNTRY PARK	CP	郊野公園

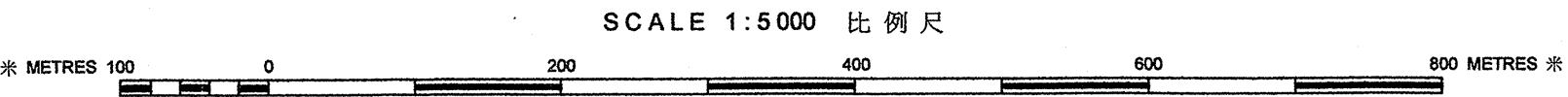
MISCELLANEOUS		其他
BOUNDARY OF PLANNING SCHEME	— • —	規劃範圍界線
BOUNDARY OF COUNTRY PARK / SPECIAL AREA	— • —	郊野公園 / 特別地區界線
BUILDING HEIGHT CONTROL ZONE BOUNDARY	— — — — —	建築物高度管制區界線
MAXIMUM BUILDING HEIGHT (IN NUMBER OF STOREYS)	1	最高建築物高度（樓層數目）

土地用途及面積一覽表  
SCHEDULE OF USES AND AREAS

USES	大約面積及百分率 APPROXIMATE AREA & %			用途
	公頃 HECTARES	%	百分率	
RESIDENTIAL (GROUP C)	0.29	0.27		住宅（丙類）
RESIDENTIAL (GROUP D)	4.07	3.77		住宅（丁類）
GOVERNMENT, INSTITUTION OR COMMUNITY	0.72	0.67		政府、機構或社區
OPEN SPACE	0.42	0.39		休憩用地
OTHER SPECIFIED USES	0.03	0.03		其他指定用途
GREEN BELT	28.33	26.24		綠化地帶
COASTAL PROTECTION AREA	9.01	8.35		海岸保護區
SITE OF SPECIAL SCIENTIFIC INTEREST	7.24	6.69		具特殊科學價值地點
COUNTRY PARK	57.84	53.59		郊野公園
TOTAL PLANNING SCHEME AREA	107.95	100.00		規劃範圍總面積

夾附的《註釋》屬這份圖則的一部分  
THE ATTACHED NOTES ALSO FORM PART OF THIS PLAN

香港城市規劃委員會依據城市規劃條例擬備的鹽田仔及馬屎洲分區計劃大綱圖  
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD  
YIM TIN TSAI AND MA SHI CHAU - OUTLINE ZONING PLAN



規劃署遵照城市規劃委員會指示擬備  
PREPARED BY THE PLANNING DEPARTMENT UNDER  
THE DIRECTION OF THE TOWN PLANNING BOARD

圖則編號  
PLAN No. S/NE-YTT/D

**DRAFT YIM TIN TSAI AND MA SHI CHAU**  
**OUTLINE ZONING PLAN NO. S/NE-YTT/D**

(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) A use or development of any land or building permitted under an earlier draft or approved plan including development permission area plan for the area and effected or undertaken during the effective period of that plan is always permitted under this Plan. Any material change of such use or any other development (except minor alteration and/or modification to the completed development of the land or building 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.
- (5) Except to the extent that paragraph (3) or (4) applies, any use or development falling within the boundaries of the Plan and also within the boundaries of the draft development permission area 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.
- (6) 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.

- (7) Alignment of roads and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.
- (8) 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 (9) in relation to areas zoned “Site of Special Scientific Interest” or “Coastal Protection Area”:
- (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, bus/public light bus stop or lay-by, cycle track, taxi rank, 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; and
  - (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.
- (9) In areas zoned “Site of Special Scientific Interest” or “Coastal Protection Area”,
- (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; and
    - (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.

- (10) In any area shown as 'Road', all uses or developments except those specified in paragraphs (8)(a) to (8)(d) and (8)(g) above and those specified below require permission from the Town Planning Board:

road and on-street vehicle park.

- (11) (a) Except in areas zoned "Site of Special Scientific Interest" or "Coastal Protection Area", temporary use or development of any land or building not exceeding a period of two months is always permitted provided that no site formation (filling or excavation) is carried out and that the use or development is a use or development specified below:

structures for carnivals, fairs, film shooting on locations, festival celebrations, religious functions or sports events.

- (b) Except as otherwise provided in paragraph (11)(a), and subject to temporary uses for open storage and port back-up purposes which are prohibited in areas zoned "Site of Special Scientific Interest" or "Coastal Protection Area", temporary use or development of any land or building not exceeding a period of three years requires permission from the Town Planning Board. Notwithstanding that the use or development is not provided for in terms of the Plan, the Town Planning Board may grant permission, with or without conditions, for a maximum period of three years, or refuse to grant permission.

- (c) Temporary use or development of land or building exceeding three years requires permission from the Town Planning Board in accordance with the terms of the Plan.

- (12) 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.

- (13) 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 YIM TIN TSAI AND MA SHI CHAU  
OUTLINE ZONING PLAN NO. S/NE-YTT/D

Schedule of Uses

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RESIDENTIAL (GROUP C)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Flat	Eating Place
Government Use (Police Reporting Centre, Post Office only)	Educational Institution
House	Government Refuse Collection Point
Utility Installation for Private Project	Government Use (not elsewhere specified)
	Institutional Use (not elsewhere specified)
	Library
	Place of Recreation, Sports or Culture
	Private Club
	Public Clinic
	Public Convenience
	Public Transport Terminus or Station
	Public Utility Installation
	Public Vehicle Park (excluding container vehicle)
	Recyclable Collection Centre
	Religious Institution
	Residential Institution
	Rural Committee/Village Office
	School
	Shop and Services
	Social Welfare Facility
	Training Centre

Planning Intention

This zone is intended primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Town Planning Board.

(Please see next page)

RESIDENTIAL (GROUP C) (Cont'd)

Remarks

- (a) 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 gross floor area of 2,325m<sup>2</sup> and a maximum building height of 3 storeys, or the gross floor area and height of the existing building, whichever is the greater.
- (b) In determining the maximum gross floor area for the purposes of paragraph (a) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room, caretaker's office, or caretaker's quarters and recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.
- (c) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the gross floor area/building height restrictions stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

RESIDENTIAL (GROUP D)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Government Use (Police Reporting Centre, Post Office only) House (Redevelopment; Addition, Alteration and/or Modification to existing house only) On-Farm Domestic Structure Rural Committee/Village Office	Eating Place Flat Government Refuse Collection Point Government Use (not elsewhere specified)# House (not elsewhere specified) Institutional Use (not elsewhere specified)# Library Market Place of Recreation, Sports or Culture Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation # Public Vehicle Park (excluding container vehicle) Recyclable Collection Centre Religious Institution # Residential Institution # 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)

RESIDENTIAL (GROUP D) (Cont'd)

Planning Intention

This zone is intended primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Town Planning Board.

Remarks

- (a) No addition, alteration and/or modification to or in-situ redevelopment of an existing temporary structure or an existing building (except to 'New Territories Exempted House' or to those annotated with #) shall result in a total development and/or redevelopment in excess of a maximum building area of 37.2m<sup>2</sup> and a maximum building height of 2 storeys (6m), or the building area and height of the 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) No development including redevelopment for 'Flat' and 'House' (except 'New Territories Exempted House') uses, other than those to which paragraph (a) above shall apply, shall result in a development and/or redevelopment in excess of a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m).
- (c) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio and building height restrictions stated in paragraph (b) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

GOVERNMENT, INSTITUTION OR COMMUNITY

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
<p>Ambulance Depot Animal Quarantine Centre (in Government building only) Broadcasting, Television and/or Film Studio Eating Place (Canteen, Cooked Food Centre only) Educational Institution Exhibition or Convention Hall Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) Hospital Institutional Use (not elsewhere specified) Library Market Pier Place of Recreation, Sports or Culture Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Recyclable Collection Centre Religious Institution Research, Design and Development Centre Rural Committee/Village Office School Service Reservoir Social Welfare Facility Training Centre Wholesale Trade</p>	<p>Animal Boarding Establishment Animal Quarantine Centre (not elsewhere specified) Columbarium Correctional Institution Crematorium Driving School Eating Place (not elsewhere specified) Funeral Facility Holiday Camp Off-course Betting Centre Office Petrol Filling Station Place of Entertainment Private Club Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation Residential Institution Sewage Treatment/Screening Plant Shop and Services Utility Installation for Private Project Zoo</p>

(Please see next page)

GOVERNMENT, INSTITUTION OR COMMUNITY (Cont'd)

Planning Intention

This zone is intended primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.

Remarks

- (a) 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 in terms of number of storeys as stipulated on the Plan, 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.

OPEN SPACE

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Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
<hr/>	
Aviary	Eating Place
Barbecue Spot	Government Refuse Collection Point
Field Study/Education/Visitor Centre	Government Use (not elsewhere specified)
Park and Garden	Holiday Camp
Pavilion	Place of Entertainment
Pedestrian Area	Place of Recreation, Sports or Culture
Picnic Area	Private Club
Playground/Playing Field	Public Transport Terminus or Station
Promenade	Public Utility Installation
Public Convenience	Public Vehicle Park (excluding container vehicle)
Sitting Out Area	Religious Institution
	Shop and Services
	Tent Camping Ground
	Utility Installation for Private Project

Planning Intention

This zone is intended primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.



OTHER SPECIFIED USES

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Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
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For "Pier" Only

Pier  
Public Convenience

Government Use (not elsewhere specified)  
Marine Fuelling Station  
Public Utility Installation

**Planning Intention**

This zone is intended primarily to provide land for pier use.

Remarks

- (a) 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 in terms of number of storeys as stipulated on the Plan, 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.

GREEN BELT

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use	Animal Boarding Establishment
Barbecue Spot	Broadcasting, Television and/or Film Studio
Government Use (Police Reporting Centre only)	Columbarium (within a Religious Institution or extension of existing Columbarium only)
Nature Reserve	Crematorium (within a Religious Institution or extension of existing Crematorium only)
Nature Trail	Field Study/Education/Visitor Centre
On-Farm Domestic Structure	Government Refuse Collection Point
Picnic Area	Government Use (not elsewhere specified)
Public Convenience	Helicopter Landing Pad
Tent Camping Ground	Holiday Camp
Wild Animals Protection Area	House (other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes)
	Petrol Filling Station
	Pier
	Place of Recreation, Sports or Culture
	Public Transport Terminus or Station
	Public Utility Installation
	Public Vehicle Park (excluding container vehicle)
	Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation
	Religious Institution
	Residential Institution
	School
	Service Reservoir
	Social Welfare Facility
	Utility Installation for Private Project

(Please see next page)

GREEN BELT (Cont'd)

Planning Intention

This zone is intended primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.

Remarks

Any diversion of streams, 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 (except public works co-ordinated or implemented by 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 the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

# COASTAL PROTECTION AREA

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use (other than Plant Nursery) Barbecue Spot Nature Reserve Nature Trail On-Farm Domestic Structure Wild Animals Protection Area	Field Study/Education/Visitor Centre Government Use House (Redevelopment only) Pier Public Convenience Public Utility Installation Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation Tent Camping Ground Utility Installation for Private Project

## Planning Intention

This zone is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion.

There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.

## Remarks

- (a) No redevelopment, including alteration and/or modification, of an existing house shall result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan.
- (b) Any diversion of streams, 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.

SITE OF SPECIAL SCIENTIFIC INTEREST

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Grave (within designated burial ground in “SSSI(1)” only) Wild Animals Protection Area	Agricultural Use Field Study/Education/Visitor Centre Government Use Nature Reserve Nature Trail On-Farm Domestic Structure Picnic Area Public Convenience Public Utility Installation Tent Camping Ground Utility Installation for Private Project

Planning Intention

This zone is intended 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 streams, filling of land 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.

COUNTRY PARK

Country Park means a country park or special area as designated under the Country Parks Ordinance (Cap. 208). All uses and developments require consent from the Country and Marine Parks Authority and approval from the Town Planning Board is not required.

DRAFT

**DRAFT YIM TIN TSAI AND MA SHI CHAU  
OUTLINE ZONING PLAN NO. S/NE-YTT/D**

**EXPLANATORY STATEMENT**

DRAFT YIM TIN TSAI AND MA SHI CHAU  
OUTLINE ZONING PLAN NO. S/NE-YTT/D

EXPLANATORY STATEMENT

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**DRAFT YIM TIN TSAI AND MA SHI CHAU**  
**OUTLINE ZONING PLAN NO. S/NE-YTT/D**

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

**EXPLANATORY STATEMENT**

Note : For the purposes of the Town Planning Ordinance, this statement shall not be deemed to constitute a part of the Plan.

**1. INTRODUCTION**

This Explanatory Statement is intended to assist an understanding of the draft Yim Tin Tsai and Ma Shi Chau Outline Zoning Plan (OZP) No. S/NE-YTT/D. It reflects the planning intention and objectives of the Town Planning Board (the Board) for various land-use zonings of the Plan.

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

- 2.1 On 12 March 2010 and 23 August 2011, under the power delegated by the Chief Executive, the Secretary for Development (SDEV) directed the Board, under section 3(1)(b) of the Town Planning Ordinance (the Ordinance), to prepare a draft plan designating the Yim Tin Tsai and Ma Shi Chau area as a development permission area.
- 2.2 On 2 September 2011, the draft Yim Tin Tsai and Ma Shi Chau Development Permission Area (DPA) Plan No. DPA/NE-YTT/1 was exhibited for public inspection under section 5 of the Ordinance. Upon expiry of the two-month exhibition period, a total of 67 representations were received. Upon publication of the representations for public comments, 32 comments on representations were received. Upon consideration of the representations and comments on 13 April 2012, the Board decided to partially uphold some representations by rezoning the land designated under “Residential (Group D)” (“R(D)”) zone to “Unspecified Use” area and deleting the Notes for the “R(D)” zone.
- 2.3 The proposed amendments to partially uphold some representations were exhibited for public inspection under section 6C(2) of the Ordinance on 27 April 2012. Upon expiry of the three-week exhibition period, a total of 150 further representations were received. Upon consideration of the 109 valid further representations on 13 July 2012, the Board decided not to uphold the further representations and to amend the draft DPA Plan by the proposed amendments.
- 2.4 On 4 September 2012, the Chief Executive in Council, under section 9(1)(a) of the Ordinance, approved the draft Yim Tin Tsai and Ma Shi Chau DPA Plan, which was subsequently renumbered as DPA/NE-YTT/2. The approved Yim Tin Tsai and Ma Shi Chau DPA Plan No. DPA/NE-YTT/2 was exhibited for public inspection on 14 September 2012 under section 9(5) of the Ordinance.

- 2.5 On 17 February 2014, under the power delegated by the Chief Executive, the SDEV directed the Board under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the Yim Tin Tsai and Ma Shi Chau area.
- 2.6 On XXXX, the draft Yim Tin Tsai and Ma Shi Chau OZP No. S/NE-YTT/1 (the Plan) was exhibited for public inspection under section 5 of the Ordinance.

### **3. OBJECT OF THE PLAN**

- 3.1 The object of the Plan is to indicate the broad land-use zonings for the area of Yim Tin Tsai and Ma Shi Chau so that development and redevelopment within the area of Yim Tin Tsai and Ma Shi Chau can be put under statutory planning control. It also provides the planning framework for preparing more detailed non-statutory plans which form the basis for public works planning and site reservation for various uses.
- 3.2 The Plan is to illustrate the broad principles of development and planning control only. It is a small-scale plan and the road alignments and boundaries between the land-use zones may be subject to minor alterations as detailed planning proceeds.
- 3.3 Since the plan is to show broad land use zonings, there would be cases that small strips of land not intended for building development purposes and carry no development right under the lease, such as the areas restricted for garden, slope maintenance and access road purposes, are included in the zones. The general principle is that such areas should not be taken into account in plot ratio and site coverage calculations. Development within zones should be restricted to building lots carrying development right in order to maintain the character and amenity of the area and not to overload the road network in this area.

### **4. NOTES OF THE PLAN**

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

### **5. THE PLANNING SCHEME AREA**

- 5.1 The Planning Scheme Area (the Area), which comprises four islands, namely Yim Tin Tsai (about 47.4ha), Ma Shi Chau (about 51.1ha), Yeung Chau (about 5.9ha) and a small island to northeast of Yim Tin Tsai (about 3.5ha), covers a

total area of about 107.95 ha. The Area is located in Tolo Harbour and forms part of the southern edge of Plover Cove. Yim Tin Tsai is accessible via Ting Kok Road off Sam Mun Tsai Road through the Sha Lan peninsula. Ma Shi Chau is connected to Yim Tin Tsai by a tombolo that is only accessible when the tide is low. The small island to the northeast of Yim Tin Tsai and Yeung Chau can only be reached by boat.

- 5.2 Yim Tin Tsai predominantly is rural in character comprising mainly village houses, natural hillsides covered with woodlands and two permitted burial grounds for indigenous villagers and fishermen. The Sam Mun Tsai San Tsuen and Luen Yick Fishermen Village located at the north of the Yim Tin Tsai facing the Shuen Wan Typhoon Shelter are mainly 2-storey tenement houses. There is a small-scale boat repairing workshop in temporary structures along the southern edge of the typhoon shelter. A low density private residential development and a church can be found at the northern tip of Yim Tin Tsai.
- 5.3 The small island to the northeast of Yim Tin Tsai (except three pockets of mainly private land), Ma Shi Chau (except parcel of land at Shui Mong Tin and a small circular area to the northeast of Shui Mong Tin) and Yeung Chau fall within the Ma Shi Chau Special Area. The whole island of Ma Shi Chau and the eastern tip of Yim Tin Tsai together with the tombolo connecting them are also within the Yim Tin Tsai and Ma Shi Chau Site of Special Scientific Interest (SSSI).

## **6. POPULATION**

According to the 2011 Population Census, the total population of the Area was about 1,200 persons. It is expected that the total planned population of the Area would be about 1,450.

## **7. OPPORTUNITIES AND CONSTRAINTS**

### **7.1 Opportunities**

#### **7.1.1 Conservation and Natural Landscape**

The Area is rural and natural in character with high geological value and landscape quality. The Yim Tin Tsai and Ma Shi Chau SSSI covers the eastern tip of Yim Tin Tsai and the whole island of Ma Shi Chau and the tombolo connecting them. Yim Tin Tsai and its surrounding area contain the best exposed, densest swarm of dykes varies from 3 to 20m wide. Yim Tin Tsai also contains unconformable contact of Tolo Harbour Formation with volcanic tuff of the Yim Tin Tsai Formation. Ma Shi Chau consists of the outcrop of Permian sedimentary rocks which is uncommon in Hong Kong. The southern and eastern portions of Ma Shi Chau have yielded a varied Permian fossil assemblage, including marine fauna and several plant fragments. The coastal area of Ma Shi Chau contains a variety of representative geological and landscape features such as folds, faults, tombolo, unconformities and

wave-cut platforms. It is an area of geological interest in the study of stratigraphy, palaeontology and geomorphology.

#### 7.1.2 Tourism Potential

Ma Shi Chau, Yeung Chau and a small island to the northeast of Yim Tin Tsai were designated as Ma Shi Chau Special Area on 9 April 1999 due to the diversity of geological features in the Area. Yeung Chau is an island made up of igneous rocks of granodiorite and is totally unspoiled. Ma Shi Chau nature trail is located along the southeastern shore of Ma Shi Chau which presents the Area's geological and landscape diversity to the visitors. Ma Shi Chau and Yeung Chau are included in Tolo Channel Geo-Area of the Hong Kong Global Geopark of China in 2011. The Tai Po Geoheritage Centre located in Sam Mun Tsai San Tsuen of Yim Tin Tsai introduces the natural environment, geological features, cultural and historical characteristic of the Area.

### 7.2 Constraints

#### 7.2.1 Nature Conservation

Yim Tin Tsai and Ma Shi Chau SSSI covers the eastern tip of Yim Tin Tsai, the whole island of Ma Shi Chau and the tombolo connecting them. Yim Tin Tsai contains the best exposed, densest swarm of dykes varies from 3m to 20m wide. Yim Tin Tsai also contains unconformable contact of Tolo Harbour Formation with volcanic tuff of the Yim Tin Tsai Formation. Ma Shi Chau together with Yeung Chau and the small island to the northeast of Yim Tin Tsai was designated as Ma Shi Chau Special Area on 9 April 1999 due to a variety of geological features. These areas with high geological value should be protected and preserved for the existing landscape character and resources. They are not suitable for any development.

#### 7.2.2 Transportation

Yim Tin Tsai is accessible via Ting Kok Road off Sam Mun Tsai Road through the Sha Lan Peninsula. Ma Shi Chau is connected to Yim Tin Tsai by a tombolo that is only accessible when the tide is low. For the small island to the northeast of Yim Tin Tsai, it is not accessible by road or footpath. For Yeung Chau, it can only be reached by boat.

#### 7.2.3 Geotechnical Safety

The Area comprises natural terrain with a long history of instability and is subject to potential landslide hazards. For the future development in the Area, the project proponent may require to carry out a natural terrain hazard study and provide suitable hazard mitigation measures, if found necessary, as part of the development.

#### 7.2.4 Landscape Character

With reference to the Landscape Value Mapping of Hong Kong (2005), the overall landscape value of the Area is high. The northern part of Yim Tin Tsai, with the village cluster of Sam Mun Tsai San Tsuen and Luen Yick Fishermen Village, is rated as 'Moderate' landscape value with rural fringe landscape character. The central and southern part of Yim Tin Tsai is mainly covered by woodland and shrub and rated as 'High' landscape value with coastal upland and hillside landscape character. However, there are two permitted burial grounds in the southern part of Yim Tin Tsai. Ma Shi Chau is also rated with 'High' landscape value with an island landscape of the coastal water landscape. The area is part of the Ma Shi Chau Special Area with a diverse set of geological features. Most of the island is undisturbed.

#### 7.2.5 Burial Grounds

There are two permitted burial grounds which cover most of the southern part of Yim Tin Tsai and are not suitable for any development.

#### 7.2.6 Sewerage

There are public sewers at the northern part of Yim Tin Tsai and three sewerage pumping stations in the Area to serve the need of the population. There is no committed/planned sewerage project for the Area. Any increase in population or number of visitors to the Area or further recreation/residential developments will require additional facilities.

#### 7.2.7 Infrastructure and Utility Services

The Yim Tin Tsai and Ma Shi Chau area are provided with electricity, telephone services and water supply. There are no committed/planned sewerage and drainage projects planned for the Area.

### **8. GENERAL PLANNING INTENTION**

- 8.1 The general planning intention of the Area is to conserve the areas of high landscape and geological significance, to protect the unique landscape character and to maintain the rural and natural character of the Area. It is also intended to provide appropriate planning control for low-rise, low density residential developments as well as improvement and upgrading of existing temporary structures through redevelopment of existing temporary structures into permanent buildings.

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

### **9.1 “Residential (Group C)” (“R(C)”) : Total Area 0.29 ha**

- 9.1.1 The planning intention of this zone is primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.
- 9.1.2 The only development within this zone is Springdale Garden located at the northern tip of Yim Tin Tsai, which is a low-rise, low-density residential development. The development is restricted to a maximum gross floor area of 2,325m<sup>2</sup> and a maximum building height of 3 storeys, or the gross floor area and height of the existing building, whichever is the greater, so that the existing development intensity, which blends in well with the surroundings, can be maintained.
- 9.1.3 To provide flexibility for innovative design adapted to the characteristics of this particular site, minor relaxation of the gross floor area/building height restrictions may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

### **9.2 “Residential (Group D)” (“R(D)”) : Total Area 4.07 ha**

- 9.2.1 The planning intention of this zone is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board.
- 9.2.2 This zone mainly covers Sam Mun Tsai San Tsuen, Luen Yick Fishermen Village and the surrounding area occupied by some village houses and temporary domestic structures. The two villages were built in the 1960s and 1970s by the government and charity groups for the re-settlement of ~~villagers and fishermen affected by Government project~~ at that time.
- 9.2.3 To allow for upgrading and improvement, redevelopment of existing temporary structure or existing building shall not result in a total development and/or redevelopment in excess of a maximum building area of 37.2m<sup>2</sup> and a maximum building height of 2 storeys (6m), or the building area and height of the existing building, whichever is the greater. Rebuilding of New Territories Exempted Houses (NTEH) and replacement of an existing domestic building which was in existence on the date of the first publication in the Gazette of the notice of draft DPA Plan by a NTEH are always permitted in this zone. Apart from the intention of residential upgrading, low-rise and low-density residential developments may be permitted on application to the Board. To be in line with the general development intensity of the surrounding areas, residential development including redevelopment for ‘Flat’ and ‘House’ (except ‘New Territories Exempted House’) uses shall not result in a

total development in excess of a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m).

- 9.2.4 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the plot ratio and building height restrictions may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

9.3 “Government, Institution or Community” (“G/IC”) : Total Area 0.72 ha

- 9.3.1 The planning intention of this zone is primarily for the provision of GIC facilities serving the needs of the local residents and a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.
- 9.3.2 The “G/IC” zone covers the area currently used as a church, a vacant village school in Yim Tin Tsai and a proposed village office site at Luen Yick Fishermen Village. An area at the northern tip of Yim Tin Tsai is reserved for government, institution or community purpose.
- 9.3.3 To preserve the rural and low-rise character of the Area as well as provide spatial and visual relief, development/redevelopment within this zone should be restricted to a maximum building height as stipulated on the Plan or the height of building which was in existence on the date of first publication in the Gazette of the notice of the DPA plan, whichever is greater.
- 9.3.4 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height restriction may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

9.4 “Open Space” (“O”) : Total Area 0.42 ha

- 9.4.1 The planning intention of this zone is primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.
- 9.4.2 The “O” zone covers the Sam Mun Tsai Children’s Playground and an open area with a rain shelter at Luen Yick Fishermen Village.

9.5 “Other Specified Uses” (“OU”) : Total Area 0.03 ha

- 9.5.1 This zone is intended for specified development(s) and/or uses, which is/are specified in the annotation of the zone. There is only one “OU” zone on the Plan, which is annotated ‘Pier’ and covers two sites presently used as piers located at north and west of Yim Tin Tsai respectively.

9.5.2 Development within this zone should be restricted to a maximum building height stipulated on the Plan or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft DPA Plan, whichever is the greater.

9.5.3 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height restriction may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

9.6 “Green Belt” (“GB”) : Total Area 28.33 ha

9.6.1 The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.

9.6.2 Areas with natural vegetation, woodland, hilly terrain, hillside shrubland and grassland have been designated as “GB” to protect existing green areas and preserve the hilly terrain in the Area.

9.6.3 The “GB” zone mainly covers the vegetated hill slopes of the central and southern part of Yim Tin Tsai as well as the three pockets of land on the small island northeast of Yim Tin Tsai. There are two traditional burial grounds at the southern part of the Yim Tin Tsai which are within this zone. They have been in existence for many years, which is considered as an existing use and intended for burial places of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities within this zone are generally tolerated.

9.6.4 There is a general presumption against development within this zone. Development in this zone will be strictly controlled. Development proposals will be considered by the Board on individual merits taking into account the relevant Town Planning Board Guidelines.

9.6.5 As diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities except public works coordinated or implemented by Government, and maintenance, repair or rebuilding works.

9.7 “Coastal Protection Area” (“CPA”) : Total Area 9.01 ha

9.7.1 The planning intention of this zone to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal



erosion. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.

- 9.7.2 This zone covers the coastal areas along southern, western and north-eastern parts of Yim Tin Tsai which primarily consist of coastal vegetation, rocky and boulder coasts fringing Yim Tin Tsai. This zone also covers Yim Tin Tsai Site of Archaeological Interest.
- 9.7.3 New residential development is not permitted under this zone. Redevelopment of existing houses may be permitted on application to the Board. The redevelopment of existing house shall not result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication of the DPA Plan.
- 9.7.4 In view of the conservation value of the area within this zone, permission from the Board is required for diversion of streams, filling of land/pond or excavation of land that may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment.

9.8 “Site of Special Scientific Interest” (“SSSI”) : Total Area 7.24 ha

- 9.8.1 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 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.
- 9.8.2 This zone mainly covers the eastern tip of Yim Tin Tsai, Shui Mong Tin of Ma Shi Chau, the tombolo connecting them and a small circular area to the northeast of Shui Mong Tin, forming part of the Yim Tin Tsai and Ma Shi Chau SSSI but not covered by the Ma Shi Chau Special Area. The SSSI was designated since 24 September 1982. Yim Tin Tsai and its surrounding area contain the best exposed, densest swarm of dyke varied from 3 to 20m wide. Yim Tin Tsai also contains unconformable contact of Tolo Harbour Formation with volcanic tuff of the Yim Tin Tsai Formation.
- 9.8.3 As development may affect the rocky outcrops and geological features of the site, relevant departments including the Planning Department and the Agriculture, Fisheries and Conservation Department should be consulted on any development proposals.

9.8.4 In view of the conservation value of the area within this zone, permission from the Board is required for diversion of streams, filling and excavation of land that may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment. Grave is not permitted within this zone.

9.8.5 Notwithstanding, the “SSSI(1)” zone, located on the eastern part of Yim Tin Tsai, forms part of the designated burial grounds for indigenous villagers and local fishermen. Grave within the designated burial ground in this sub-zone is always permitted.

9.9 “Country Park” (“CP”) : Total Area 57.84 ha

Country Park means a country park or special area as designated under the Country Parks Ordinance (Cap. 208). This zone covers the whole island of Yeung Chau, small island to the northeast of Yim Tin Tsai (except three pockets of “GB” zones) and the whole island of Ma Shi Chau (except parcel of land at Shui Mong Tin and a circular area zoned as “SSSI” on the northeast of Shui Mong Tin). These areas were designated as Ma Shi Chau Special Area on 9 April 1999. All uses and developments within Ma Shi Chau Special Area require consent from the Country and Marine Parks Authority and approval from the Board is not required.

## **10. COMMUNICATIONS**

### **10.1 Road Network**

While the northern tip of Yim Tin Tsai is accessible from Sam Mun Tsai Road connecting to Ting Kok Road, the remainder of the Area is overgrown with vegetation and inaccessible by vehicle. There are a few informal off-street parking spaces within the Area. Most of the village houses and the burial ground are inaccessible by vehicular access. There is no plan to further extend the existing road network in the Area.

### **10.2 Public Transport**

The northern part of Yim Tin Tsai could be accessible by mini-bus and taxis.

## **11. UTILITIES SERVICES**

There is no existing public drain in the Area. There are existing sewerage facilities, water supply, electricity and telephone services for the northern part of Yim Tin Tsai. While there are no planned drainage or sewerage works in the Area, all development proposals are required to demonstrate that no adverse drainage and sewerage impacts would be caused to the Area.

## **12. CULTURAL HERITAGE**

A site of archaeological interest is located within the southern part of the Area, namely Yim Tin Tsai Site of Archaeological Interest, which is worthy of preservation. Any development or redevelopment on it should be avoided as far as possible. Prior consultation with the Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department and the Commissioner for Heritage's Office of the Development Bureau should be made, if any development, redevelopment or rezoning proposal might affect the above site and its immediate environs. An assessment shall be conducted to evaluate the archaeological impact imposed by the proposed works if there is any development within the site of archaeological interest. If necessary, a professional archaeologist shall be engaged to apply for a licence from the Antiquities Authority under the Antiquities and Monuments Ordinance (Cap.53) for an archaeological field investigation to evaluate whether the proposed works is acceptable from an archaeological preservation point of view and propose appropriate mitigation measures.

## **13. IMPLEMENTATION**

- 13.1 The Plan provides a broad land-use framework for development control and implementation of planning proposals for the Area. More detailed plans will be prepared as a basis for public works planning and private developments.
- 13.2 At present there is no overall programme for the provision of infrastructure within the Area. The implementation process will be gradual and may stretch over a long period of time depending on the availability of resources. It will be undertaken through the participation of both the public and private sectors.
- 13.3 Notwithstanding the above, minor improvement works, e.g. access improvement and laying of utility services will be implemented through the Public Works Programme and the Rural Public Works as and when resources are available. Private developments will be effected principally through private sector initiatives to develop or redevelop their properties in accordance with the zoned uses indicated on the Plan, provided that their proposals meet Government requirements.

## **14. PLANNING CONTROL**

- 14.1 The types of permitted developments and uses on land within the Area are listed in the Notes to the Plan. Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted developments and uses within the same zone are always permitted and no separate permission is required.
- 14.2 Uses of land or building which were in existence immediately before the first publication in the Gazette of the notice of the draft DPA Plan and which are not in compliance with the terms of the Plan may have adverse impacts on the environment, drainage and traffic of the Area. Although no action is required to make such use conform to this Plan, any material change of such use or any other development (except minor alteration and/or modification to the

development of the land or building in respect of such use which is always permitted) must be always permitted in terms of the Plan or, if permission is required, in accordance with a permission granted by the Board. The Board will consider these applications on their individual merits. Those alteration and/or modification works which may lead to an environmental improvement or upgrading to the Area may be considered favourably by the Board.

- 14.3 Planning applications to the Board will be assessed on individual merits. In general, the Board, in considering the planning applications, will take into account all relevant planning considerations including guidelines published by the Board. Guidelines published by the Board are available from the Board's website, the Secretariat of the Board and the Technical Services Division of the Planning Department. Application forms and Guidance Notes for planning applications can be downloaded from the Board's website, and are available from the Secretariat of the Board, and the Technical Services Division and the relevant District Planning Office of the Planning Department. Applications should be supported by such materials as the Board thinks appropriate to enable it to consider the applications.
- 14.4 Any development, other than those referred to in paragraph 14.1 above or in conformity with this Plan or with the permission of the Board, undertaken or continued on land included in this Plan on or after the date of the first publication in the Gazette of the Notice of the draft DPA Plan may be subject to enforcement proceedings under the Ordinance. Any diversion of stream, filling of land/pond and excavation of land in the relevant zones on or after the date of 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.

- (k) to note that the Director of Electrical and Mechanical Services' comments that the applicant shall approach the electricity supplier for requisition of cable plans/overhead line alignment drawings to find out whether there is any underground electricity cable and/or overhead electricity line within in the vicinity of the site. For site within the preferred working corridor of high voltage overhead lines at transmission voltage level 132 kV and above as stipulated in the Hong Kong Planning Standards and Guidelines published by the Planning Department, prior consultation and arrangement with the electricity supplier is necessary. Prior to establishing any structure within the site, the applicant and the applicant's contractors shall liaise with the electricity supplier and, if necessary, ask the electricity supplier to divert the underground electricity cable (and/or overhead electricity line) away from the vicinity of the proposed structure. The "Code of Practice on Working near Electricity Supply Lines" established under the Electricity Supply Lines (Protection) Regulation shall be observed by the applicant and the applicant's contractors when carrying out works in the vicinity of the electricity supply lines."

**Sha Tin, Tai Po and North District**

**Agenda Item 8**

[Open Meeting]

Preliminary Consideration of the Draft Yim Tin Tsai and Ma Shi Chau Outline Zoning Plan  
No. S/NE-YTT/B

(TPB Paper No. 9615)

[The item was conducted in Cantonese.]

192. The following Government representatives were invited to the meeting at this point:

Mr C.K. Soh	- District Planning Officer/Shau Tin, Tai Po and North, Planning Department (DPO/STN, PlanD)
Mr C.T. Lau	- Senior Town Planner/Tai Po (STP/TP), PlanD
Mr Liu Pik Keung	- Chief Land Executive (District Lands Office, Tai Po), Lands Department
Mr K.S. Cheng	- Country Parks Officer/Special Duty, Agriculture, Fisheries and Conservation Department (AFCD)
Mr Edward F.M. Yuen	- Conservation Officer/Scientific Interest, AFCD

193. The Chairman extended a welcome and invited DPO/STN to brief Members on the background of the Paper. Members noted that a replacement page of Figure 6b of the Planning Report at Appendix IV of the Paper was tabled at the meeting.

194. With the aid of a Powerpoint presentation, Mr C.K. Soh, DPO/STN, made the following main points as detailed in the Paper:

Background

- (a) on 2.9.2011, the draft Yim Tin Tsai and Ma Shi Chau Development Permission Area (DPA) Plan No. DPA/NE-YTT/1 was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). A total of 67 representations and 32 comments were received;
- (b) on 4.9.2012, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Yim Tin Tsai and Ma Shi Chau DPA Plan, which was subsequently renumbered as DPA/NE-YTT/2;
- (c) pursuant to section 20(5) of the Ordinance, the Yim Tin Tsai and Ma Shi Chau DPA Plan was effective only for a period of three years until 2.9.2014. As such, an Outline Zoning Plan (OZP) had to be prepared to

replace the DPA Plan in order to maintain statutory planning control over the Area upon expiry of the DPA Plan;

The Planning Scheme Area (the Area)

- (d) Yim Tin Tsai and Ma Shi Chau area was located in Tolo Harbour and formed part of the southern edge of Plover Cove. It comprised four islands, namely Yim Tin Tsai, Ma Shi Chau and Yeung Chau and a small island to the northeast of Yim Tin Tsai, and covered a total area of about 107.95 ha;
- (e) Yim Tin Tsai was accessible via Ting Kok Road off Sam Mun Tsai Road. Ma Shi Chau was connected to Yim Tin Tsai by a tombolo that was only accessible when the tide was low. Yeung Chau and the small island to the northeast of Yim Tin Tsai could only be reached by boat;
- (f) most of the Yim Tin Tsai and Ma Shi Chau area were covered by vegetation and only limited developments were found in the northern part of Yim Tin Tsai. According to 2011 Census, the total population of the Area was about 1,200 persons. About 97.56% of land in the Area was Government land;

General Planning Intention

- (g) the general planning intention of the Area was to conserve the areas of high landscape and geological significance, to protect the unique landscape character and to maintain the rural and natural character of the Area. It was also intended to provide appropriate planning control for low-rise, low density residential developments as well as improvement and upgrading of existing temporary structures through redevelopment of existing temporary structures into permanent buildings;

Land Use Planning Consideration

*Conservation and Geological features*

- (h) Ma Shi Chau, Yeung Chau and a small island to the northeast of Yim Tin Tsai were designated as part of the Ma Shi Chau Special Area (about 57.84 ha) on 9.4.1999 due to the diversity of geological features in the Area. Three pockets of land mainly under private ownership on the small island to the northeast of Yim Tin Tsai, and a parcel of land at Shui Mong Tin and a small circular area to the northeast of Shui Mong Tin on Ma Shi Chau were excluded from the Special Area;
- (i) the whole island of Ma Shi Chau and the eastern tip of Yim Tin Tsai including the tombolo connecting them were designated as Ma Shi Chau and Yim Tin Tsai Site of Special Scientific Interest (SSSI) on 24.9.1982. The SSSI also covered part of the Ma Shi Chau Special Area and part of the permitted burial ground;
- (j) Ma Shi Chau consisted of the outcrop of Permian sedimentary rocks which was uncommon in Hong Kong. The southern and eastern portion of Ma Shi Chau had yielded a varied Permian fossil assemblage, including marine fauna and several plant fragments. The coastal area of Ma Shi Chau contained a variety of representative geological and landscape features such as folds, faults, tombolo, unconformities and wave-cut platforms;
- (k) Ma Shi Chau nature trail was located along the southeastern shore of Ma Shi Chau which presented the Area's geological and landscape diversity to the visitors. Ma Shi Chau and Yeung Chau were included in Tolo Channel Geo-Area of the Hong Kong Global Geopark of China in 2011;
- (l) Yim Tin Tsai and its surrounding area contained the best exposed, densest swarm of dykes which varied from 3 to 20m wide in particular along the eastern coast of Yim Tin Tsai. Yim Tin Tsai also contained unconformable contact of Tolo Harbour Formation with volcanic tuff of the Yim Tin Tsai Formation;



- (m) Yim Tin Tsai Site of Archaeological Interest was located within the Area in the southern part of Yim Tin Tsai, where prehistoric artefacts were found;

Land for Village Development

- (n) there were two villages in the Area, namely Sam Mun Tsai San Tsuen and Luen Yick Fishermen Village. They were mainly 2-storey tenement houses. The Luen Yick Fishermen Village (107 building units) was constructed in 1975 and was covered by a Government Land Licence. Sam Mun Tsai San Tsuen (163 building units) was constructed in 1965 for re-housing of villagers affected by the construction project of Plover Cove Reservoir. Sam Mun Tsai San Tsuen was the only recognized village within the Area and various building types including tenement buildings, village houses and domestic temporary structures were found;
- (o) the area covering Sam Mun Tsai San Tsuen and Luen Yick Fishermen Village was proposed to be zoned as "Residential (Group D)" ("R(D)") subject to a maximum plot ratio of 0.4 and a maximum building height of 2 storeys upon the first publication of DPA Plan on 2.9.2011. However, the Tai Po Rural Committee (TPRC) opposed to the designation of "R(D)" for Sam Mun Tsai San Tsuen and Luen Yick Fishermen Village mainly on grounds that they considered the residents as indigenous villagers and would not be able to redevelop their houses under the restrictions stipulated under the "R(D)" zone. In this connection, TPRC proposed to rezone the area to "Village Type Development" ("V"). The Town Planning Board (the Board) decided on 13.4.2012 to partially uphold some representations by rezoning the land designated under "R(D)" zone to "Unspecified Use" area and deleting the Notes for the "R(D)" zone so that appropriate land use zonings could be worked out in the preparation of the OZP stage;
- (p) majority of the 163 building units within Sam Mun Tsai were covered by Government Land Licences and Short Term Tenancies. Some were

covered by private treaty grants. In general, houses under Government Land Licences or Short Term Tenancies were regarded temporary in nature and the licensee or tenant had no proprietary right to redevelop the house;

- (q) Luen Yick Fishermen Village was not a recognized village. Although Sam Mun Tsai San Tsuen was a recognized village with village 'environs' ('VE'), there was no Indigenous Inhabitant Representative (IIR) and no indigenous villagers of Sam Mun Tsai San Tsuen. There was also no Small House demand nor outstanding Small House application. Moreover, there was no information to ascertain that the existing residents were indigenous villagers of Sam Mun Tsai San Tsuen eligible for Small House grant under the current Small House policy;
- (r) with reference to the circumstances of the two villages, the site conditions of the area taking account of the existing village settlement, environmental conditions and natural terrain of the area, PlanD considered "R(D)" zoning more appropriate for the area covering both Luen Yick Fishermen Village and Sam Mun Tsai San Tsuen and the surrounding area which were mainly domestic and temporary structures;
- (s) "R(D)" zoning was intended primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It was also intended for low-rise, low-density residential developments subject to planning permission from the Board;
- (t) according to the covering Notes of the OZP, rebuilding of New Territories Exempted Houses (NTEH) and replacement of an existing domestic building which was in existence on the date of the first publication of draft DPA Plan by a NTEH were always permitted in "R(D)" zone;
- (u) in the event that there was Small House application from indigenous

villagers from other villages in Tai Po Heung, there was provision under the Notes of the OZP for planning application of House (including NTEH/Small House) development within the "R(D)" zone which could duly address the concerns of TPRC;

#### Land Use Zonings

##### *"Country Park" ("CP") : Total Area 57.84 ha*

- (v) under the Notes of the OZP, "CP" meant a country park or special area as designated under the Country Parks Ordinance (Cap. 208). This zone covered the whole island of Yeung Chau, small island to the northeast of Yim Tin Tsai (except three pockets of "GB" zones) and the whole island of Ma Shi Chau (except parcel of land at Shui Mong Tin and a circular area zoned as "SSSI" on the northeast of Shui Mong Tin). These areas were designated as Ma Shi Chau Special Area on 9 April 1999. All uses and developments within Ma Shi Chau Special Area required consent from the Country and Marine Parks Authority and approval from the Board was not required;

##### *"Site of Special Scientific Interest" ("SSSI") : Total Area 7.24 ha*

- (w) the planning intention of this zone was 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 were designated as SSSI. It intended to deter human activities or developments within the SSSI. There was a general presumption against development in this zone;
- (x) this zone mainly covered the eastern tip of Yim Tin Tsai, Shui Mong Tin of Ma Shi Chau, the tombolo connecting them and a small circular area to the northeast of Shui Mong Tin, forming part of the Yim Tin Tsai and Ma Shi Chau SSSI but not covered by the Ma Shi Chau Special Area. Grave was not permitted within this zone;

- (y) notwithstanding, given that the burial grounds for indigenous villagers and local fishermen were existing use and the major geological features within the SSSI were found in the coastal areas which fell outside the burial ground boundary, an area located to the eastern part of Yim Tin Tsai, which formed part of a designated 'burial ground', was proposed to be zoned "SSSI(1)" with 'grave (within burial ground only)' as a Column 1 use;

*"Coastal Protection Area" ("CPA") : Total Area 9.01 ha*

- (z) the planning intention of this zone was to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment. There was a general presumption against development in this zone;
- (aa) this zone covered the coastal areas along southern, western and north-eastern parts of Yim Tin Tsai which primarily consisted of coastal vegetation, rocky and boulder coasts fringing Yim Tin Tsai. This zone also covered Yim Tin Tsai Site of Archaeological Interest;

*"Green Belt" ("GB") : Total Area 28.67 ha*

- (bb) the planning intention of this zone was primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There was a general presumption against development within this zone;
- (cc) this zone mainly covered the vegetated hill slopes of the central and southern part of Yim Tin Tsai and the coastal area of the north-eastern part of Yim Tin Tsai as well as the three pockets of land on the small island northeast of Yim Tin Tsai. It also covered two traditional burial grounds at the southern part of Yim Tin Tsai;

*"Other Specified Uses" ("OU") : Total Area 0.03 ha*

- (dd) the planning intention of this zone was for specified development(s) and/or uses. There was only one "OU" zone on the Plan, which was

annotated 'Pier' and covered two sites presently used as piers located to the north and south of Yim Tim Tsai respectively;

*"Open Space" ("O") : Total Area 0.42 ha*

- (ee) the planning intention of this zone was primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public. The "O" zone covered the Sam Mun Tsai Children's Playground and an open area with a rain shelter at Luen Yick Fishermen Village;

*"Government, Institution or Community" ("G/IC") : Total Area 0.72 ha*

- (ff) the planning intention of this zone was primarily for the provision of GIC facilities serving the needs of the local residents and a wider district, region or the territory. To reflect the use of a church, a vacant village school in Yim Tin Tsai and the site proposed for village office at Luen Yick Fishermen Village, "G/IC" zone was recommended. Moreover, an area at the northern tip of Yim Tin Tsai was also reserved for government, institution or community purpose;

*"Residential (Group C)" ("R(C)") : Total Area 0.29 ha*

- (gg) the planning intention of this zone was primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood might be permitted on application to the Board. The only development within this zone was Springdale Garden located at the northern tip of Yim Tin Tsai, which was a low-rise, low-density residential development;

*"Residential (Group D)" : Total Area 3.73 ha*

- (hh) the planning intention of this zone was primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It was also intended for low-rise, low-density residential developments subject to planning permission from the Board. Residential development

including redevelopment for 'Flat' and 'House' (except 'NTEH') uses should not result in a total development in excess of a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m);

- (ii) Sam Mun Tsai San Tsuen, Luen Yick Fishermen Village and the surrounding area occupied by some village houses and temporary domestic structures were proposed to be zoned "R(D)"; and

#### Consultation

- (jj) subject to the agreement of the Board, the draft OZP No. S/NE-YTT/C would be submitted to the Tai Po District Council (TPDC) and TPRC for consultation. Comments from TPDC and TPRC would be submitted to the Board for further consideration prior to the publication of the draft OZP under section 5 of the Ordinance.

195. As the presentation from the representative of PlanD had been completed, the Chairman invited questions and comments from Members.

#### *Development Restrictions of "R(D)" Zone*

196. A Member enquired whether it was necessary for an indigenous villager, while submitting planning application for NTEH development within the "R(D)" zone, to apply for minor relaxation of building height restriction for the proposed NTEH as well.

197. With the aid of an extract of the Notes for "R(D)" zone on the visualiser, Mr C.K. Soh explained that according to remark (a) of the Notes, no addition, alteration and/or modification to or in-situ redevelopment of an existing temporary structure or an existing building (except to 'NTEH') should result in a total development/redevelopment in excess of a maximum building area of 37.2m<sup>2</sup> and a maximum building height of 2 storeys (6m), and remark (b) also stated that no development (except 'NTEH') should exceed a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m). The development restrictions as specified in both remarks were not applicable to NTEH development which

had its specified dimension of not more than 3 storeys with a roofed-over area not exceeding 65.03 m<sup>2</sup> (about 700 square feet).

198. A Member asked whether an existing temporary structure would be allowed to be developed into a NTEH within the "R(D)" zone. The Member also sought clarification on whether the area currently zoned "CP" on the OZP formed part of the country park as designated under the Country Parks Ordinance, and whether the Board had any jurisdiction to control future developments within the "CP" zone.

199. Mr Soh said that any development for NTEH/Small House development within the "R(D)" zone would require prior planning permission from the Board. Should it be verified that the applicant was an indigenous villager and the application site fell within the 'VE' of a recognised village, application for a Small House grant could be submitted to the Lands Department (LandsD) after obtaining the necessary planning approval from the Board. While Small House/NTEH would be allowed up to its specified dimension, other house development or in-situ redevelopment of the existing temporary structures would need to comply with the development restrictions of the "R(D)" zone. The "CP" zoning only covered those areas which had been designated as a country park or special area under the Country Parks Ordinance (Cap 208). To avoid duplication of control between the two statutory bodies, it would be clearly specified in the Notes for the "CP" zone that all uses and developments required consent from the Country and Marine Parks Authority and approval from the Board was not required. "CP" zoning with the same set of Notes was also found on other OZPs such as the Tin Shui Wai OZP.

*Small House Development within "R(D)" zone*

200. Mr Jeff Lam sought clarification from DPO/STN on whether those non-indigenous villagers would also be allowed to apply for building NTEH under the existing provision of the "R(D)" zone. Mr Soh said that there was provision under the Notes for "R(D)" zone allowing planning application for 'House' use (including NTEH/Small House). The specific use to be applied would depend on the eligibility of the applicant for Small House grant under the prevailing Small House policy.

201. Given that Small House/NTEH development within the "R(D)" zone was subject to a more lenient restriction in terms of development density as compared with other house development which would be subject to maximum plot ratio of 0.4 and maximum building height of 3 storeys, a Member was concerned that the designation of the two existing villages as "R(D)" zone, which might attract a large number of cross-village Small House applications into the Area, might not be in line with the general planning intention for the Area.

202. Mr Soh responded that the Member's concern had been duly considered in formulating the appropriate zoning for the existing villages. Having considered that cross-village Small House applications by indigenous villagers within the same Heung was permitted under the prevailing Small House policy, it would be more appropriate to designate the area as "R(D)" instead of "V" zone in order to maintain the necessary planning control over the development intensity of various house developments through the planning application system. Should the area be zoned as "V" as proposed by TPRC, Small House development would be permitted as of right within the Area which might cause adverse impact on this high landscape and geologically significant area.

203. Mr K.K. Ling, Director of Planning, said that under the existing provision of "R(D)" zone, an optimal balance had been struck between development and conservation in that there was mechanism for local villagers to develop Small House/NTEH in the Area through planning application, yet it allowed the Board to exercise appropriate planning control to ensure that the proposed development would be compatible with the planning intention of the Area.

204. In response to a Member's question, Mr Soh said that the prevailing Interim Criteria for Consideration of Application for NTEH/Small House in New Territories would be applicable if the application was for NTEH/Small House development.

*Sam Mun Tsai Sun Tsuen*

205. In response to a Member's query on the status of Sam Mun Tsai San Tsuen and whether there was any indigenous villagers in the Area, Mr Jeff Lam, Deputy Director of



Lands (General), advised that Sam Mun Tsai Sun Tsuen was constructed in the Area for rehousing of villagers affected by Government works project. It was subsequently categorised as a post-1898 recognised village and a 'VE' was drawn up for the village. Under the prevailing policy, the male descendants of Sam Mun Tsai Sun Tsuen, though not an indigenous villager, were eligible to apply to LandsD for a building licence for Small House development provided that the application site was on private land within the 'VE'. If the applicant was a non-indigenous villager who was eligible for small house grant, premium would be charged for the grant of a building licence. However, if the applicant was an indigenous villager, no premium would be charged for the building licence.

206. Noting that the villagers of Sam Mun Tsai Sun Tsuen could only apply for Small House grant on private land within the 'VE' and the proportion of privately-owned land in the Area was very small, the same Member was concerned about the slim chance of the local villagers in getting Small House granted under the prevailing policy. Mr K.K. Ling said that there was provision for the local villagers to apply for Small House/NTEH development in the "R(D)" zone under the Notes of the OZP. Upon obtaining the necessary planning permission for Small House/NTEH development from the Board, the villagers could approach LandsD for granting of Small House, the approval of which would be under the jurisdiction of LandsD.

207. Mr Jeff Lam clarified that the local villagers of Sam Mun Tsai Sun Tsuen who were not indigenous villagers would not be granted Government land for building Small House as they were not eligible for private treaty grant under the prevailing policy. However, they could continue to stay in the existing building units in Sam Mun Tsai Sun Tsuen which were covered by Government Land Licences.

208. The same Member was worried about the sentiment of the local villagers of Sam Mun Tsai Sun Tsuen and asked if the Government would provide any assistance to the local villagers in the event that the existing tenement buildings or temporary structures had become dilapidated. In response, Mr Jeff Lam said that it was not the Government's policy to rebuild those tenement buildings or temporary structures for the local villagers. The licencees/tenants should be responsible for the maintenance and repair of their own buildings/structures. They could submit applications to LandsD for rebuilding of the

existing buildings/structures up to what was permitted under the licence conditions. LandsD would consider each application based on individual merits.

209. Another Member opined that although the local villagers of Sam Mun Tsai Sun Tsuen were not indigenous villagers of the Area, their ancestors were once indigenous villagers in other parts of the New Territories. It was likely that the villagers would be aggrieved by the "R(D)" zoning and considered that their traditional rights for Small House development had been deprived of.

210. Mr K.K. Ling said that in formulating the land use zoning proposal for the Area, PlanD had already taken into account the concerns raised by Members. As far as planning was concerned, the proposed "R(D)" zoning had provided sufficient flexibility for Small House/NTEH development to address the concern of the rural sector.

211. On consideration that the draft OZP might be subject to further review after receiving comments from the relevant District Council and Rural Committee, the Chairman suggested that the draft OZP as submitted be agreed in principle so that PlanD could proceed with the next stage consultation. Comments received from the consultees could be duly considered by the Board in the further consideration of the draft OZP. Members agreed.

212. After deliberation, the Board agreed that the draft Yim Tin Tsai and Ma Shi Chau OZP No. S/NE-YTT/C, together with its Notes and Explanatory Statement, were suitable for consultation with Tai Po District Council (TPDC) and TPRC. After consultation, comments from TPDC and TPRC would be submitted to the Board for consideration prior to the publication of the draft OZP under section 5 of the Ordinance.

213. The Chairman thanked Government's representatives for attending the meeting and they left the meeting at this point.

## **TOWN PLANNING BOARD**



**TPB PAPER NO. 9615  
FOR CONSIDERATION BY  
THE TOWN PLANNING BOARD  
ON 20.6.2014**

**DRAFT YIM TIN TSAI AND MA SHI CHAU  
OUTLINE ZONING PLAN NO. S/NE-YTT/C  
PRELIMINARY CONSIDERATION OF A NEW PLAN**

**DRAFT YIM TIN TSAI AND MA SHI CHAU OUTLINE ZONING PLAN NO. S/NE-YTT/C**  
**PRELIMINARY CONSIDERATION OF A NEW PLAN**

**1. Purpose**

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

- (a) the draft Yim Tin Tsai and Ma Shi Chau Outline Zoning Plan (OZP) No. S/NE-YTT/C (the Plan) (**Appendix I**) and its Notes (**Appendix II**) are suitable for consultation with the Tai Po District Council (TPDC) and Tai Po Rural Committee (TPRC); and
- (b) the Explanatory Statement (ES) (**Appendix III**) is an expression of the planning intentions and objectives of the Town Planning Board (the Board) for the various land use zonings of the draft OZP and is suitable for consultation with the TPDC and the TPRC together with the draft OZP.

**2. Background**

- 2.1 On 12.3.2010 and 23.8.2011, under the power delegated by the Chief Executive (CE), the Secretary for Development (SDEV) directed the Board, under section 3(1)(b) of the Town Planning Ordinance (the Ordinance), to prepare a Development Permission Area (DPA) Plan for the Yim Tin Tsai and Ma Shi Chau area (the Area).
- 2.2 On 2.9.2011, the draft Yim Tin Tsai and Ma Shi Chau DPA Plan No. DPA/NE-YTT/1 was exhibited for public inspection under section 5 of the Ordinance. During the plan exhibition period, a total of 67 representations and 32 comments were received. After giving consideration to the representations and comments on 13.4.2012, the Board decided to partially uphold some representations by rezoning the land designated under "Residential (Group D)" ("R(D)") zone to "Unspecified Use" area and delete the Notes for the "R(D)" zone.
- 2.3 The proposed amendments to partially uphold the representations were exhibited for public inspection under section 6C(2) of the Ordinance on 27.4.2012. Upon expiry of the three-week exhibition period, a total of 150 further representations were received. Upon consideration of the 109 valid further representations on 13.7.2012, the Board decided not to uphold the further representations and to amend the draft DPA Plan by the proposed amendments.
- 2.4 On 4.9.2012, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Yim Tin Tsai and Ma Shi Chau DPA Plan, which was subsequently renumbered as DPA/NE-YTT/2. On 14.9.2012, the approved Yim Tin Tsai and Ma Shi Chau DPA Plan No. DPA/NE-YTT/2 was exhibited for public inspection under section 9(5) of the Ordinance.

- 2.5 Pursuant to section 20(5) of the Ordinance, the Yim Tin Tsai and Ma Shi Chau DPA Plan is effective for a period of three years until 2.9.2014. As such, an OZP has to be prepared to replace the DPA Plan in order to maintain statutory planning control over the Area upon expiry of the DPA Plan.
- 2.6 On 17.2.2014, under the power delegated by the CE, the SDEV directed the Board, under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the Area.

### 3. Strategic Planning Context

- 3.1 Yim Tin Tsai and Ma Shi Chau area is located in Tolo Harbour and forms part of the southern edge of Plover Cove (**Plans 1 to 3**). It comprises four islands, namely Yim Tin Tsai, Ma Shi Chau and Yeung Chau and a small island to the northeast of Yim Tin Tsai, and covers a total area of about 107.95 ha. Yim Tin Tsai is accessible via Ting Kok Road off Sam Mun Tsai Road through the Sha Lan peninsula. Ma Shi Chau is connected to Yim Tin Tsai by a tombolo that is only accessible when the tide is low. Yeung Chau and the small island to the northeast of Yim Tin Tsai can only be reached by boat.
- 3.2 The small island to the northeast of Yim Tin Tsai (except three pockets of mainly private land), Ma Shi Chau (except the parcel of land at Shui Mong Tin and a small circular area to the northeast of Shui Mong Tin) and Yeung Chau fall within the Ma Shi Chau Special Area with a diverse set of geological features. Ma Shi Chau and the eastern tip of Yim Tin Tsai are also within the Yim Tin Tsai and Ma Shi Chau Site of Special Scientific Interest (SSSI) as both areas contain various rare geological features (**Figure 9 in Appendix IV**).
- 3.3 With reference to the Landscape Value Mapping of Hong Kong (2005), the overall landscape value of the Area is high. In the northern Yim Tin Tsai with the village cluster of Sam Mun Tsai San Tsuen and Luen Yick Fishermen Village is rated as 'Moderate' landscape value with rural fringe landscape character. The central and southern part of Yim Tin Tsai is mainly covered by woodland and shrub and rated as 'High' landscape value with coastal upland and hillside landscape character. Ma Shi Chau is also rated with 'High' landscape value with island landscape character. Most of the island is undisturbed.
- 3.4 The planning framework for the Area is to protect the natural scenic character of the Area from the uncontrolled developments and avoid disturbances to areas with high landscape and geological value. Details of the land use considerations are contained in the Planning Report on Yim Tin Tsai and Ma Shi Chau at **Appendix IV**.

### 4. Issues Arising from Consideration of the DPA Plan

During the consideration of the representations to the draft DPA Plan on 13.4.2012, the following proposals from major groups were put forwarded for the Board's consideration:

- (a) the TPRC and the villagers suggested to rezone the Sam Mun Tsai San Tsuen and Luen Yick Fishermen Village from "Residential (Group D)" ("R(D)") to "Village Type Development" ("V") zone; and

- (b) the green/concern groups and individuals suggested to protect the SSSI and the Ma Shi Chau Special Area by conservation zones.

## **5. Town Planning Board's Decisions and Instructions**

On 13.4.2012, the Board decided to partially uphold some representations by rezoning the land designated under "R(D)" zone to "Unspecified Use" area and deleting the Notes for the "R(D)" zone and noted the suggestion of green/concern groups on conservation zonings. It was agreed that detailed studies and analysis would be conducted to determine the appropriate land use zonings of the concerned area in the preparation of the OZP stage.

## **6. Object of the Plan**

- 6.1 The object of the Plan is to indicate the broad land-use zonings for the Area so that development and redevelopment within the Area can be put under statutory planning control. It also provides the planning framework for preparing more detailed non-statutory plans which form the basis for public works planning and site reservation for various uses.
- 6.2 The draft OZP is to illustrate the broad principles of development and to provide guidance for more detailed planning. It is a small-scale plan and the road alignments and boundaries between the land use zones may be subject to minor adjustments as detailed planning and development proceed.

## **7. The Planning Scheme Area (Plans 1 to 3)**

- 7.1 The Area covers a total area of about 107.95 ha. It comprises four islands, namely Yim Tin Tsai (about 47.4 ha), Ma Shi Chau (about 51.1ha), Yeung Chau (about 5.9 ha) and a small island to northeast of Yim Tin Tsai (about 3.5ha). The boundary of the Area is shown by a heavy broken line on the Plan (**Appendix I**).
- 7.2 Yim Tin Tsai is rural in character comprising mainly village houses and natural hillsides covered with woodlands, and there are two permitted burial grounds (**Plan 3**) for indigenous villagers and fishermen. The Sam Mun Tsai San Tsuen and Luen Yick Fishermen Village located at the north of the Yim Tin Tsai facing the Shuen Wan Typhoon Shelter are mainly 2-storey tenement houses (**Figure 6b in Appendix IV**). There is a small-scale boat repairing workshop in temporary structures along the southern edge of the typhoon shelter. A low density private residential development and a church can be found at the northern tip of Yim Tin Tsai (**Figure 6a in Appendix IV**).
- 7.3 The small island to the northeast of Yim Tin Tsai (except three pockets of mainly private land), Ma Shi Chau (except two pockets of land with private lots at Shui Mong Tin and a small circular area to the northeast of Shui Mong Tin) and Yeung Chau fall within the Ma Shi Chau Special Area where various geological and landscape features are found. The whole island of Ma Shi Chau together with the eastern tip of Yim Tin Tsai are also within the Yim Tin Tsai and Ma Shi Chau SSSI (**Figure 9 in Appendix IV**).

## **8. Development Proposals Received in the Course of Preparation of the Plan**

- 8.1 Since the gazettal of the draft DPA Plan on 2.9.2011, and in the course of preparing the Plan, three planning applications have been received. These applications are mainly related to development of village office.
- 8.2 Planning application No. A/DPA/NE-YTT/1 for a proposed village office at Luen Yick Fishermen Village, Yim Tin Tsai was approved with conditions by the Rural and New Town Planning Committee (RNTPC) of the Board on 25.1.2013 mainly on consideration of its small scale development, not incompatible with the rural surrounding area and unlikely causing adverse impacts on the surrounding areas. Planning Application No. A/DPA/NE-YTT/2 for proposed village office cum community service centre at former Fish Marketing Organization Sam Mun Tsai San Tsuen Primary School was approved with conditions on 1.3.2013 mainly on similar grounds as application No. A/DPA/NE-YTT/1. Another planning application No. A/DPA/NE-YTT/3 for a proposed village office covering a similar site with a slightly larger area under Application No. A/DPA/NE-YTT/1 was also approved with by the RNTPC on 13.6.2014. Details of the applications are summarized at **Annex I of Appendix IV**.

## **9. Land Use Planning Consideration**

### **Conservation and Geological features**

- 9.1 The Area is rural and natural in character with high geological value and landscape quality. The Yim Tin Tsai and Ma Shi Chau SSSI covers the eastern tip of Yim Tin Tsai and the whole island of Ma Shi Chau as well as the tombolo connecting them. Yim Tin Tsai and its surrounding area contain the best exposed, densest swarm of dykes which varies from 3 to 20m wide in particular along the eastern coast of Yim Tin Tsai. Yim Tin Tsai also contains unconformable contact of Tolo Harbour Formation with volcanic tuff of the Yim Tin Tsai Formation. Ma Shi Chau consists of the outcrop of Permian sedimentary rocks which is uncommon in Hong Kong. The southern and eastern portion of Ma Shi Chau has yielded a varied Permian fossil assemblage, including marine fauna and several plant fragments. The coastal area of Ma Shi Chau contains a variety of representative geological and landscape features such as folds, faults, tombolo, unconformities and wave-cut platforms (**Figure 5b in Appendix IV**). It is an area of geological interest in the study of stratigraphy, palaeontology and geomorphology.
- 9.2 Ma Shi Chau, Yeung Chau and a small island to the northeast of Yim Tin Tsai were designated as part of the Ma Shi Chau Special Area on 9.4.1999 due to the diversity of geological features in the Area. Pockets of land involving private ownership are excluded from the Special Area. Yeung Chau is an island made up of igneous rocks of granodiorite and is totally unspoiled. Ma Shi Chau nature trail is located along the southeastern shore of Ma Shi Chau which presents the Area's geological and landscape diversity to the visitors. Ma Shi Chau and Yeung Chau are included in Tolo Channel Geo-Area of the Hong Kong Global Geopark of China in 2011. Besides, the whole area of Ma Shi Chau and the eastern tip of Yim Tin Tsai including the tombolo are designated as "Site of Special Scientific Interest". The land parcel at Shui Mong Tin was previously involved in a suspected unauthorized development for columbarium which was not permitted under the lease. Lease enforcement action had been taken by the lands authority and the site had been reverted to the Government in 2012.

- 9.3 Yim Tin Tsai Site of Archaeological Interest is located within the Area in the southern part of Yim Tin Tsai (**Figure 9 in Appendix IV**). Prehistoric artefacts were found in the site of archaeological interest.

Land for Village Development

- 9.4 There are two villages in the Area, namely Sam Mun Tsai San Tsuen and Luen Yick Fishermen Village. They are mainly 2-storey tenement houses. The Luen Yick Fishermen Village (107 building units) was constructed in 1975 and are covered by a Government Land Licence. Sam Mun Tsai San Tsuen (163 building units) was constructed in 1965 for re-housing of villagers affected by the construction project of Plover Cove Reservoir. Sam Mun Tsai San Tsuen is the only recognized village within the Area.
- 9.5 The area covering Sam Mun Tsai San Tsuen and Luen Yick Fishermen Village was proposed to be zoned as "R(D)" subject to a maximum plot ratio of 0.4 and a maximum building height of 2 storeys upon the first publication of DPA Plan on 2.9.2011. However, TPRC opposed to the designation of "R(D)" for Sam Mun Tsai San Tsuen and Luen Yick Fishermen Village mainly on grounds that they considered the residents as indigenous villagers and would not be able to redevelop their houses under the restrictions stipulated under the "R(D)" zone. In this connection, TPRC proposed to rezone the area to "V". The Board decided on 13.4.2012 to partially uphold some representations by rezoning the land designated under "R(D)" zone to "Unspecified Use" area and deleting the Notes for the "R(D)" zone so that appropriate land use zonings could be worked out in the preparation of the OZP stage.
- 9.6 District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) has been consulted and advises that there is no Indigenous Inhabitant Representative (IIR) for the concerned village and no future 10-years Small House demand forecast for Sam Mun Tsai San Tsuen. There have been seven Small House applications within the Area but all were rejected in 1990s as the applicants were not indigenous villagers. Majority of the 163 building units within Sam Mun Tsai are covered by Government Land Licences and Short Term Tenancies. Some are covered by private treaty grants. Due to the works projects of two aqua privies and Tolo Harbour Sewerage Works, the Government Land Licences covering 36 building units in Sam Mun Tsai San Tsuen and 107 building units in Luen Yick Fishermen Village have been cancelled respectively and pending re-issue. In general, houses under Government Land Licences or Short Term Tenancies are regarded temporary in nature and the licensee or tenant has no proprietary right to redevelop the house (**Plan 4b**).
- 9.7 Luen Yick Fishermen Village is not a recognized village and although Sam Mun Tsai San Tsuen is a recognized village with village 'environs' ('VE'), there is no IIR and indigenous villagers of Sam Mun Tsai San Tsuen. There is also no Small House demand nor outstanding Small House application as well as no information to ascertain that the existing residents are indigenous villagers of Sam Mun Tsai San Tsuen eligible for Small House grant under the current Small House policy. With reference to the circumstances of the two villages, the site conditions of the area taking account of the existing village settlement, environmental conditions and natural terrain of the area, PlanD considers "R(D)" zoning more appropriate for the area covering both Luen Yick Fishermen Village and Sam Mun Tsai San Tsuen and the surrounding area which are mainly domestic and temporary structures. "R(D)" zoning is intended primarily for



improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board. In the event that there is Small House application from indigenous villagers from other villages in Tai Po Heung, there is provision under the Notes of the OZP for planning application of House (including NTEH/Small House) development within the "R(D)" zone which can duly address the concerns of the Tai Po Rural Committee mentioned in para. 9.5 above. Each application will be considered on its individual planning merits by the Board.

## **10. Planning Intention**

The general planning intention of the Area is to conserve the areas of high landscape and geological significance, to protect the unique landscape character and to maintain the rural and natural character of the Area. It is also intended to provide appropriate planning control for low-rise, low density residential developments as well as improvement and upgrading of existing temporary structures through redevelopment of existing temporary structures into permanent buildings.

## **11. Land Use Zonings**

### **11.1 "Residential (Group C)" ("R(C)") : Total Area 0.29 ha**

- 11.1.1 The planning intention of this zone is primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.
- 11.1.2 The only development within this zone is Springdale Garden (**Figure 6c-1 of Appendix IV**) located at the northern tip of Yim Tin Tsai, which is a low-rise, low-density residential development. The development is restricted to a maximum gross floor area of 2,325m<sup>2</sup> and a maximum building height of 3 storeys, or the gross floor area and height of the existing building, whichever is the greater, so that the existing development intensity, which blends in well with the surroundings, can be maintained.
- 11.1.3 To provide flexibility for innovative design adapted to the characteristics of this particular site, minor relaxation of the gross floor area/building height restrictions may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

### **11.2 "Residential (Group D)" : Total Area 3.73 ha**

- 11.2.1 The planning intention of this zone is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board.

- 11.2.2 This zone mainly covers Sam Mun Tsai San Tsuen, Luen Yick Fishermen Village and the surrounding area occupied by some village houses and temporary domestic structures (**Figures 6c-6 to 6c-9 in Appendix IV**). The two villages were built in the 1960s and 1970s by the government and charity groups for the re-settlement of villagers and fishermen affected by Government projects at that time.
- 11.2.3 To allow for upgrading and improvement, redevelopment of existing temporary structure or existing building shall not result in a total development and/or redevelopment in excess of a maximum building area of 37.2m<sup>2</sup> and a maximum building height of 2 storeys (6m), or the building area and height of the existing building, whichever is the greater. Rebuilding of New Territories Exempted Houses (NTEH) and replacement of an existing domestic building which was in existence on the date of the first publication in the Gazette of the notice of draft DPA Plan by a NTEH are always permitted in this zone. Apart from the intention of residential upgrading, low-rise and low-density residential developments may be permitted on application to the Board. To be in line with the general development intensity of the surrounding areas, residential development including redevelopment for 'Flat' and 'House' (except 'New Territories Exempted House') uses shall not result in a total development in excess of a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m).
- 11.2.4 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the plot ratio and building height restrictions may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.
- 11.3 "Government, Institution or Community" ("G/IC") : Total Area 0.72 ha
- 11.3.1 The planning intention of this zone is primarily for the provision of GIC facilities serving the needs of the local residents and a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.
- 11.3.2 The "G/IC" zone covers the areas currently used as a church, a vacant village school in Yim Tin Tsai and the site proposed for village office at Luen Yick Fishermen Village. An area at the northern tip of Yim Tin Tsai is reserved for government, institution or community purpose.
- 11.3.3 To preserve the rural and low-rise character of the Area as well as provide spatial and visual relief, development/redevelopment within this zone should be restricted to a maximum building height as stipulated on the Plan or the height of building which was in existence on the date of first publication in the Gazette of the notice of the DPA plan, whichever is greater.
- 11.3.4 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.

11.4 “Open Space” (“O”) : Total Area 0.42 ha

- 11.4.1 The planning intention of this zone is primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.
- 11.4.2 The “O” zone covers the Sam Mun Tsai Children’s Playground and an open area with a rain shelter at Luen Yick Fishermen Village.

11.5 “Other Specified Uses” (“OU”) : Total Area 0.03 ha

- 11.5.1 The planning intention of this zone is for specified development(s) and/or uses, which is/are specified in the annotation of the zone. There is only one “OU” zone on the Plan, which is annotated ‘Pier’ and covers two sites presently used as piers located at north and south of Yim Tin Tsai respectively.
- 11.5.2 Development within this zone should be restricted to a maximum building height stipulated on the Plan or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft DPA Plan, whichever is the greater.
- 11.5.3 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.

11.6 “Green Belt” (“GB”) : Total Area 28.67 ha

- 11.6.1 The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.
- 11.6.2 Areas with natural vegetation, woodland, hilly terrain, hillside shrubland and grassland have been designated as “GB” to protect existing green areas and preserve the hilly terrain in the Area.
- 11.6.3 The “GB” zone mainly covers the vegetated hill slopes of the central and southern part of Yim Tin Tsai and the coastal area of the north-eastern part of Yim Tin Tsai as well as the three pockets of land on the small island northeast of Yim Tin Tsai. There are two traditional burial grounds at the southern part of the Yim Tin Tsai which are within this zone. They have been in existence for many years, which are considered as existing use and intended for burial places of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities within this zone are generally tolerated.
- 11.6.4 There is a general presumption against development within this zone. Development in this zone will be strictly controlled. Development proposals will be considered by the Board on individual merits taking into account the relevant Town Planning Board Guidelines.

- 11.6.5 As diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities except public works coordinated or implemented by Government, and maintenance or repair works.

11.7 "Coastal Protection Area" ("CPA") : Total Area 9.01 ha

- 11.7.1 The planning intention of this zone is to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.
- 11.7.2 This zone covers the coastal areas along southern, western and north-eastern parts of Yim Tin Tsai which primarily consist of coastal vegetation, rocky and boulder coasts fringing Yim Tin Tsai. This zone also covers Yim Tin Tsai Site of Archaeological Interest.
- 11.7.3 New residential development is not permitted under this zone. Redevelopment of existing houses may be permitted on application to the Board. The redevelopment of existing house shall not result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication of the DPA Plan.
- 11.7.4 As diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.

11.8 "Site of Special Scientific Interest" ("SSSI") : Total Area 7.24 ha

- 11.8.1 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 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.
- 11.8.2 This zone mainly covers the eastern tip of Yim Tin Tsai, Shui Mong Tin of Ma Shi Chau, the tombolo connecting them and a small circular area to the northeast of Shui Mong Tin, forming part of the Yim Tin Tsai and Ma Shi Chau SSSI but not covered by the Ma Shi Chau Special Area. The SSSI was designated since 24.9.1982. Yim Tin Tsai and its surrounding area contain

the best exposed, densest swarm of dyke varied from 3 to 20m wide. Yim Tin Tsai also contains unconformable contact of Tolo Harbour Formation with volcanic tuff of the Yim Tin Tsai Formation.

- 11.8.3 As development may affect the rocky outcrops and geological features of the site, relevant departments including the Planning Department and the Agriculture, Fisheries and Conservation Department should be consulted on any development proposals.
- 11.8.4 In view of the conservation value of the area within this zone, permission from the Board is required for diversion of streams, filling and excavation of land that may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment. Grave is not permitted within this zone.
- 11.8.5 Notwithstanding, the "SSSI(1)" zone, located on the eastern part of Yim Tin Tsai, forms part of a designated 'burial ground'<sup>1</sup> for indigenous villagers and local fishermen. During the preparation of the DPA Plan, the District Officer/Tai Po (DO/TP) pointed out that the burial grounds were designated by the government and existed for many years, and there would be expectation that areas within the burial ground would continue to be reserved for burying of the eligible deceased indigenous villagers and locally based fishermen upon publication of the DPA Plan. In view of the DO/TP's comments, the Director of Agriculture, Fisheries and Conservation has no objection to put "grave (within burial ground only)" under Column 1 of the "SSSI" sub-zone given that the burial grounds were existing use and the major geological features within the SSSI were found in the coastal areas which fell outside the burial ground boundary. In this regard, grave within the designated burial ground in this sub-zone is always permitted given that the burial ground is an existing use.

11.9 "Country Park" ("CP") : Total Area 57.84 ha

Country Park means a country park or special area as designated under the Country Parks Ordinance (Cap. 208). This zone covers the whole island of Yeung Chau, small island to the northeast of Yim Tin Tsai (except three pockets of "GB" zones) and the whole island of Ma Shi Chau (except parcel of land at Shui Mong Tin and a circular area zoned as "SSSI" on the northeast of Shui Mong Tin). These areas were designated as Ma Shi Chau Special Area on 9 April 1999. All uses and developments within Ma Shi Chau Special Area require consent from the Country and Marine Parks Authority and approval from the Board is not required.

- 11.10 The proposed land use pattern of the Area is shown on **Figure 11 of Appendix IV**. Detailed proposed land-use zonings of the Area are set out in paragraph 9 of the ES (**Appendix III**).

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<sup>1</sup> Burial ground means an area outside the gazetted cemeteries in the New Territories designated by the Director of Lands in consultation with the Director of Home Affairs reserved for burying of the indigenous villagers and locally based fishermen.

- 11.11 A comparison of land use zonings on the approved Yim Tim Tsai and Ma Shi Chau DPA Plan No. DPA/NE-YTT/2 and the draft OZP No. S/NE-YTT/C is shown in the table below:

<b>Land Use Zoning</b>	<b>Area on Approved DPA Plan</b>	<b>Area on draft OZP</b>
"R(C)"	0.29 ha (0.27%)	0.29 ha (0.27%)
"R(D)"	-	3.73 ha (3.46%)
"G/IC"	-	0.72 ha (0.67%)
"O"	-	0.42 ha (0.39%)
"OU(Pier)"	-	0.03 ha (0.03%)
"GB"	-	28.67 ha (26.56%)
"CPA"	-	9.01 ha (8.35%)
"SSSI"	7.24 ha (6.71%)	7.24 ha (6.69%)
"CP"	-	57.84 ha (53.58%)
"Unspecified"	100.42 ha (93.02%)	-
<b>Total</b>	<b>107.95 ha</b>	<b>107.95 ha</b>

## **12. Notes of the Plan**

- 12.1 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 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. To provide flexibility for development with design adapted to the characteristics of particular sites, minor relaxation of the specific development restriction(s) stated in the Notes for particular zones may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.
- 12.2 The draft Notes are formulated on the basis of the latest set of Master Schedule of Notes to Statutory Plans endorsed by the Board whilst having regard to the particular characteristics of the Area.

## **13. Consultation**

- 13.1 The draft OZP together with its Notes and ES as well as the Planning Report has been circulated to relevant Government bureaux and departments for comments. Comments received have been incorporated into the draft OZP, its Notes and ES and the Planning Report as appropriate.
- 13.2 Subject to the agreement of the Board, the draft OZP No. S/NE-YTT/C will be submitted to the TPDC and TPRC for consultation. Comments from the TPDC and TPRC will be submitted to the Board for consideration prior to the publication of the draft OZP under section 5 of the Ordinance.

#### **14. Decision Sought**

Members are invited to:

- (a) agree that the draft Yim Tin Tsai and Ma Shi Chau OZP No. S/NE-YTT/C (**Appendix I**) together with its Notes (**Appendix II**) is suitable for consultation with the TPDC and TPRC;
- (b) agree that the ES (**Appendix III**) is suitable to serve as an expression of the planning intention and objectives of the Board for various land use zonings of the draft Yim Tin Tsai and Ma Shi Chau OZP No. S/NE-YTT/C and the ES should be issued under the name of the Board; and
- (c) agree that the ES (**Appendix III**) is suitable for consultation with the TPDC and TPRC together with the draft OZP.

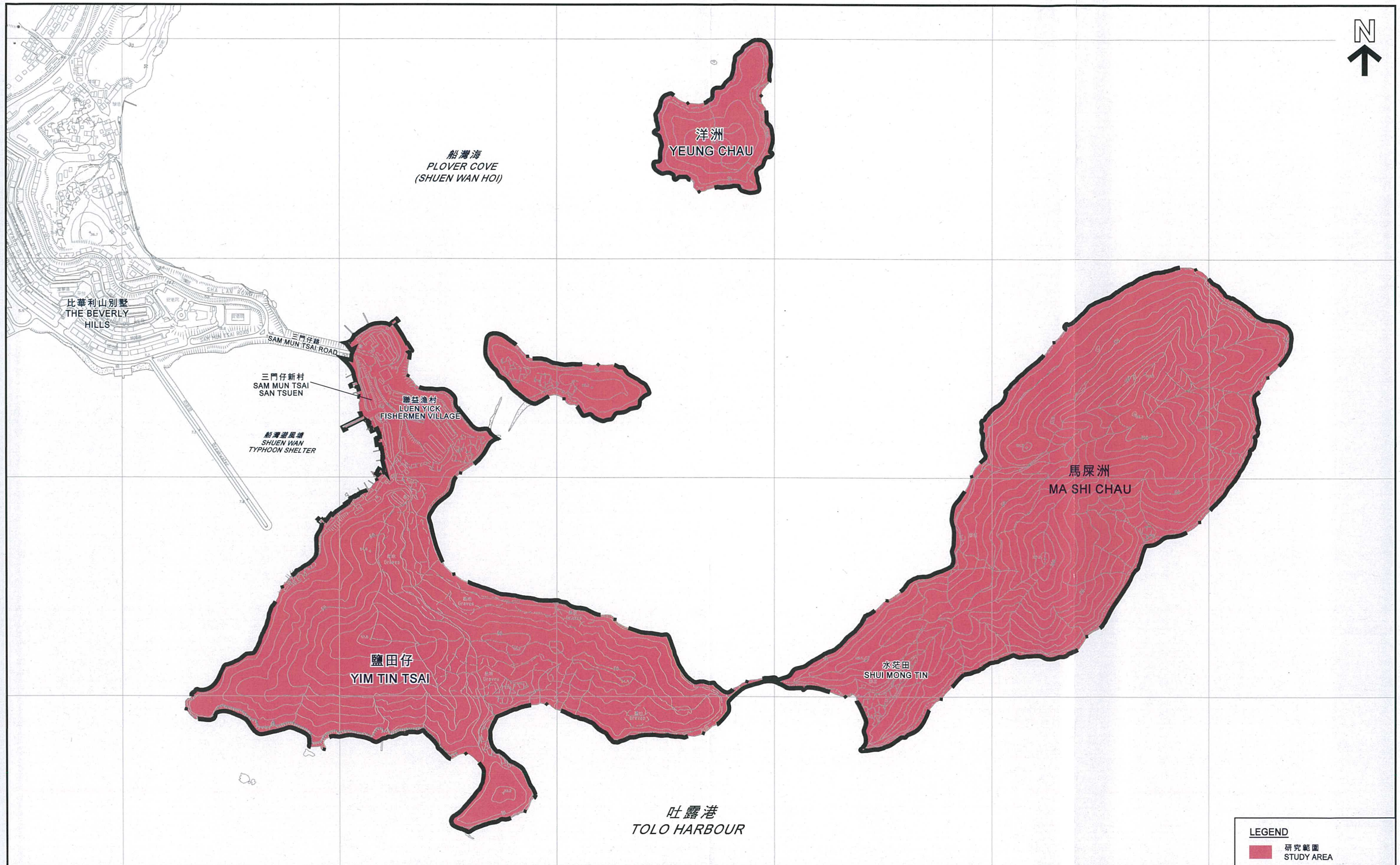
#### **15. Attachments**

<b>Plan 1</b>	Planning Scheme Area
<b>Plan 2</b>	Aerial Photo
<b>Plan 3</b>	Village 'Environs' Boundary and Existing Physical Features
<b>Plan 4a</b>	Land Ownership and Village 'Environs' Boundary
<b>Plan 4b</b>	Village 'Environs' Boundary and Land Status Plan of North Portion of Yim Tin Tsai
<b>Appendix I</b>	Draft Yim Tin Tsai and Ma Shi Chau OZP No. S/NE-YTT/C
<b>Appendix II</b>	Notes of the Draft Yim Tin Tsai and Ma Shi Chau OZP No. S/NE- YTT/C
<b>Appendix III</b>	Explanatory Statement of the Draft Yim Tin Tsai and Ma Shi Chau OZP No. S/NE- YTT/C
<b>Appendix IV</b>	Planning Report on Yim Tin Tsai and Ma Shi Chau Area

**PLANNING DEPARTMENT**

**JUNE 2014**





本摘要圖於2014年6月16日擬備，  
所根據的資料為HP5BW編號3-SE-C、D及7-NE-A、B  
EXTRACT PLAN PREPARED ON 16.6.2014  
BASED ON HP5BW SHEETS No. 3-SE-C & D AND 7-NE-A & B

規劃範圍  
PLANNING SCHEME AREA

米 160 0 160 320 米  
METRES SCALE 1 : 8 000 比例尺

規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
M/NE/13/187

PLAN  
1





LEGEND  
研究範圍  
STUDY AREA

本摘要圖於2014年6月11日擬備，  
所根據的資料為地政總署  
於2013年1月7日拍得的航攝照片編號CW101210  
EXTRACT PLAN PREPARED ON 11.6.2014  
BASED ON AERIAL PHOTO No. CW101210  
TAKEN ON 7.1.2013 BY LANDS DEPARTMENT

航攝照片  
AERIAL PHOTO

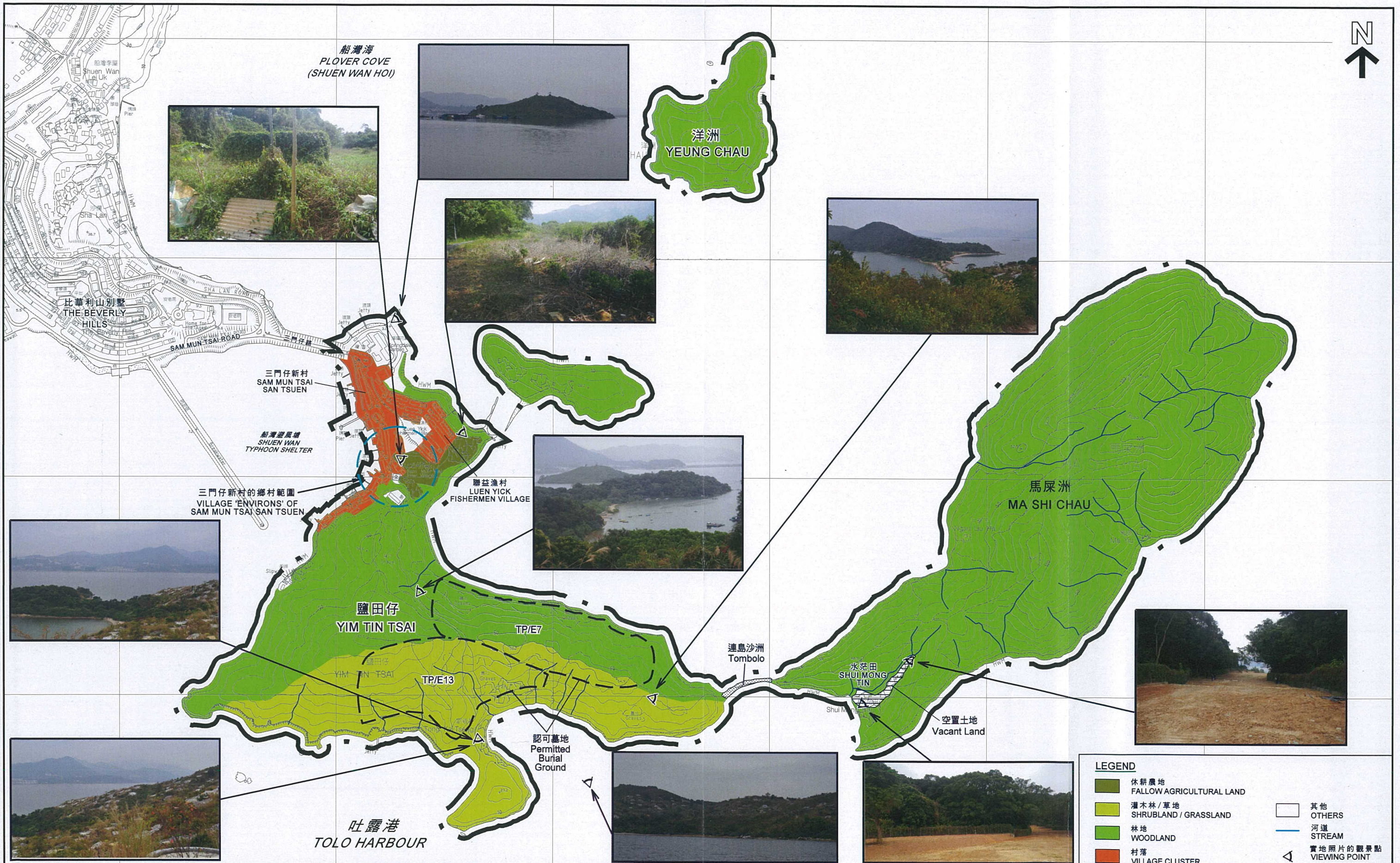
規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
M/NE/13/187

PLAN  
2





鄉村範圍及現有的地貌特色 VILLAGE 'ENVIRONS' BOUNDARY AND EXISTING PHYSICAL FEATURES

鹽田仔及馬屎洲  
YIM TIN TSAI AND MA SHI CHAU

米 160 0 160 320 米  
METRES SCALE 1:8 000 比例尺

本摘要圖於2014年6月18日擬備，  
所根據的資料為HP5BW編號3-SE-C、D及7-NE-A、B  
EXTRACT PLAN PREPARED ON 18.6.2014  
BASED ON HP5BW SHEETS No. 3-SE-C & D AND 7-NE-A & B

LEGEND

- 休耕農地  
FALLOW AGRICULTURAL LAND
- 灌木林/草地  
SHRUBLAND / GRASSLAND
- 林地  
WOODLAND
- 村落  
VILLAGE CLUSTER

- 其他  
OTHERS
- 河道  
STREAM

實地照片的觀景點  
VIEWING POINT  
OF SITE PHOTO

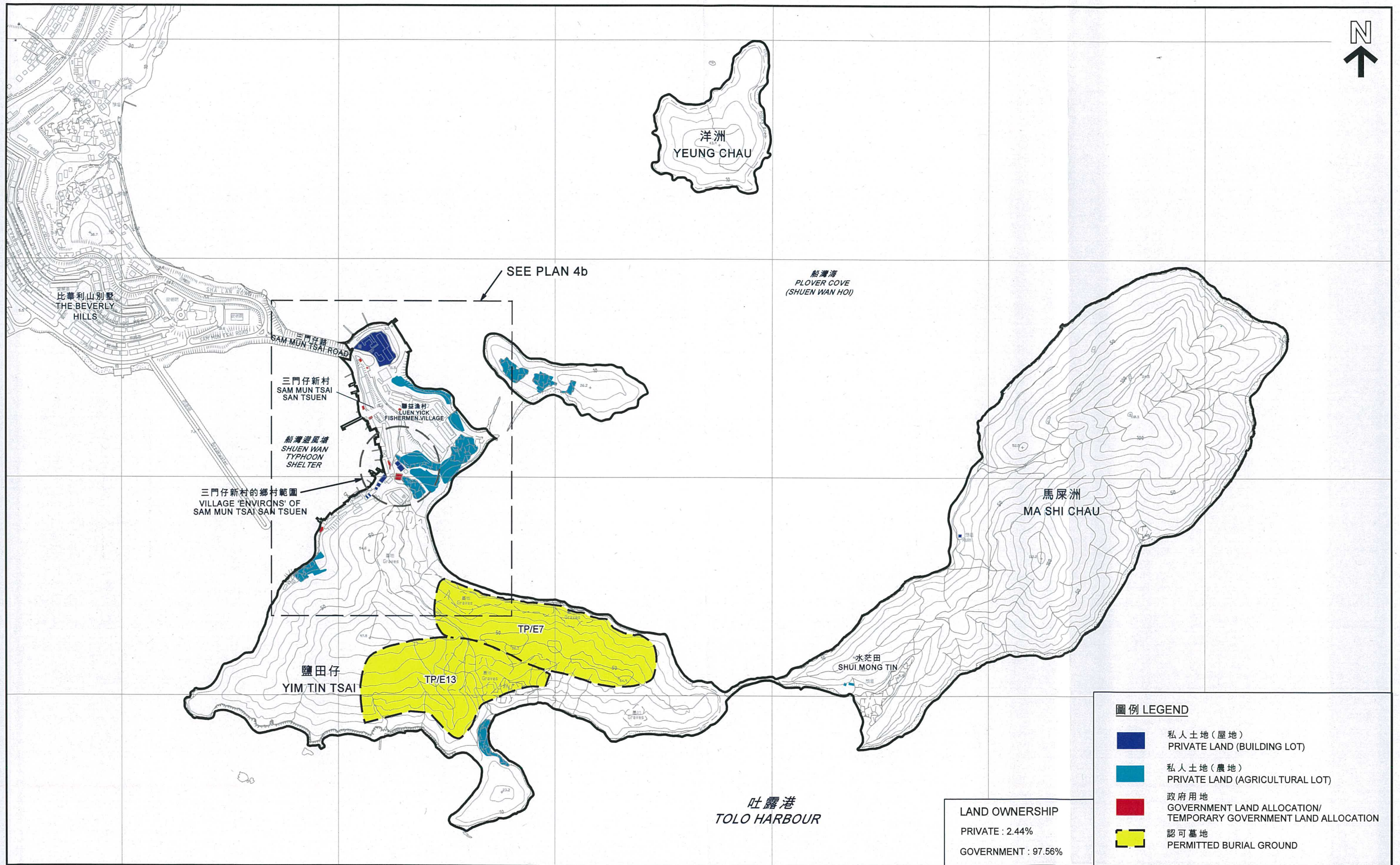
規劃署  
PLANNING  
DEPARTMENT

參考編號  
REFERENCE No.  
M/NE/13/187



PLAN  
3





本摘要圖於2014年6月18日擬備，  
所根據的資料為HP5BW編號3-SE-C、D及7-NE-A、B  
EXTRACT PLAN PREPARED ON 18.6.2014  
BASED ON HP5BW SHEETS No. 3-SE-C & D AND 7-NE-A & B

土地業權及鄉村範圍  
LAND OWNERSHIP AND VILLAGE 'ENVIRONS'

SCALE 1 : 8 000 比例尺  
米 160 0 160 320 米  
METRES

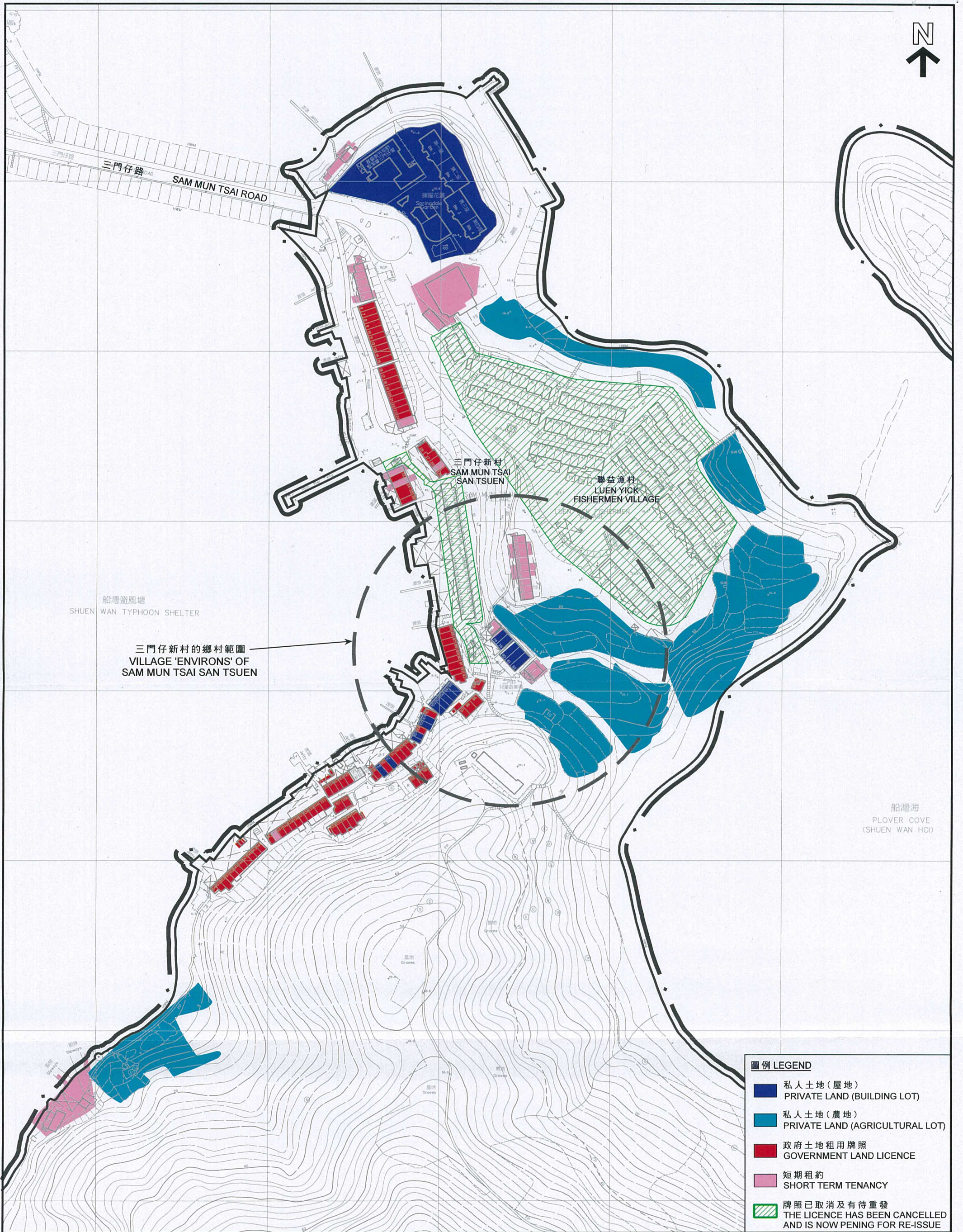
規劃署  
PLANNING  
DEPARTMENT

參考編號  
REFERENCE No.  
M/NE//13/187



PLAN  
4a





圖例 LEGEND	
<span style="display:inline-block; width:15px; height:15px; background-color:blue; border:1px solid black;"></span>	私人土地(屋地) PRIVATE LAND (BUILDING LOT)
<span style="display:inline-block; width:15px; height:15px; background-color:lightblue; border:1px solid black;"></span>	私人土地(農地) PRIVATE LAND (AGRICULTURAL LOT)
<span style="display:inline-block; width:15px; height:15px; background-color:red; border:1px solid black;"></span>	政府土地租用牌照 GOVERNMENT LAND LICENCE
<span style="display:inline-block; width:15px; height:15px; background-color:lightcoral; border:1px solid black;"></span>	短期租約 SHORT TERM TENANCY
<span style="display:inline-block; width:15px; height:15px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, green 2px, green 4px); border:1px solid black;"></span>	牌照已取消及有待重發 THE LICENCE HAS BEEN CANCELLED AND IS NOW PENING FOR RE-ISSUE

本摘要圖於2014年6月18日擬備，所根據的資料為測量圖編號7-NE-2D及7B  
EXTRACT PLAN PREPARED ON 18.6.2014  
BASED ON SURVEY SHEETS No.  
7-NE-2D & 7B

鹽田仔北部的土地業權及鄉村範圍  
VILLAGE 'ENVIRONS' AND LAND STATUS OF  
NORTHERN PORTION OF YIM TIN TSAI

米 40 0 40 80 米  
METRES

SCALE 1 : 2 000 比例尺

規劃署  
PLANNING  
DEPARTMENT

參考編號  
REFERENCE No.  
M/NE/13/187

PLAN  
4b



**DRAFT YIM TIN TSAI AND MA SHI CHAU  
OUTLINE ZONING PLAN NO. S/NE-YTT/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) A use or development of any land or building permitted under an earlier draft or approved plan including development permission area plan for the area and effected or undertaken during the effective period of that plan is always permitted under this Plan. Any material change of such use or any other development (except minor alteration and/or modification to the completed development of the land or building 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.
- (5) Except to the extent that paragraph (3) or (4) applies, any use or development falling within the boundaries of the Plan and also within the boundaries of the draft development permission area 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.
- (6) 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.

- (7) Alignment of roads and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.
- (8) 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 (9) in relation to areas zoned "Site of Special Scientific Interest" or "Coastal Protection Area":
- (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, bus/public light bus stop or lay-by, cycle track, taxi rank, 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; and
  - (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.
- (9) In areas zoned "Site of Special Scientific Interest" or "Coastal Protection Area",
- (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; and
    - (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.

- (10) In any area shown as 'Road', all uses or developments except those specified in paragraphs (8)(a) to (8)(d) and (8)(g) above and those specified below require permission from the Town Planning Board:

road and on-street vehicle park.

- (11) (a) Except in areas zoned "Site of Special Scientific Interest" or "Coastal Protection Area", temporary use or development of any land or building not exceeding a period of two months is always permitted provided that no site formation (filling or excavation) is carried out and that the use or development is a use or development specified below:

structures for carnivals, fairs, film shooting on locations, festival celebrations, religious functions or sports events.

- (b) Except as otherwise provided in paragraph (11)(a), and subject to temporary uses for open storage and port back-up purposes which are prohibited in areas zoned "Site of Special Scientific Interest" or "Coastal Protection Area", temporary use or development of any land or building not exceeding a period of three years requires permission from the Town Planning Board. Notwithstanding that the use or development is not provided for in terms of the Plan, the Town Planning Board may grant permission, with or without conditions, for a maximum period of three years, or refuse to grant permission.

- (c) Temporary use or development of land or building exceeding three years requires permission from the Town Planning Board in accordance with the terms of the Plan.

- (12) 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.

- (13) 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 YIM TIN TSAI AND MA SHI CHAU  
OUTLINE ZONING PLAN NO. S/NE-YTT/C

Schedule of Uses

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GREEN BELT	9
COASTAL PROTECTION AREA	11
SITE OF SPECIAL SCIENTIFIC INTEREST	12
COUNTRY PARK	13



RESIDENTIAL (GROUP C)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Flat	Eating Place
Government Use (Police Reporting Centre, Post Office only)	Educational Institution
House	Government Refuse Collection Point
Utility Installation for Private Project	Government Use (not elsewhere specified)
	Institutional Use (not elsewhere specified)
	Library
	Place of Recreation, Sports or Culture
	Private Club
	Public Clinic
	Public Convenience
	Public Transport Terminus or Station
	Public Utility Installation
	Public Vehicle Park
	(excluding container vehicle)
	Recyclable Collection Centre
	Religious Institution
	Residential Institution
	Rural Committee/Village Office
	School
	Shop and Services
	Social Welfare Facility
	Training Centre

Planning Intention

This zone is intended primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Town Planning Board.

(Please see next page)

RESIDENTIAL (GROUP C) (Cont'd)

Remarks

- (a) 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 gross floor area of 2,325m<sup>2</sup> and a maximum building height of 3 storeys, or the gross floor area and height of the existing building, whichever is the greater.
- (b) In determining the maximum gross floor area for the purposes of paragraph (a) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room, caretaker's office, or caretaker's quarters and recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.
- (c) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the gross floor area/building height restrictions stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

RESIDENTIAL (GROUP D)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Government Use (Police Reporting Centre, Post Office only) House (Redevelopment; Addition, Alteration and/or Modification to existing house only) On-Farm Domestic Structure Rural Committee/Village Office	Eating Place Flat Government Refuse Collection Point Government Use (not elsewhere specified)# House (not elsewhere specified) Institutional Use (not elsewhere specified)# Library Market Place of Recreation, Sports or Culture Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation # Public Vehicle Park (excluding container vehicle) Recyclable Collection Centre Religious Institution # Residential Institution # 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)

RESIDENTIAL (GROUP D) (Cont'd)

Planning Intention

This zone is intended primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Town Planning Board.

Remarks

- (a) No addition, alteration and/or modification to or in-situ redevelopment of an existing temporary structure or an existing building (except to 'New Territories Exempted House' or to those annotated with #) shall result in a total development and/or redevelopment in excess of a maximum building area of 37.2m<sup>2</sup> and a maximum building height of 2 storeys (6m), or the building area and height of the 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) No development including redevelopment for 'Flat' and 'House' (except 'New Territories Exempted House') uses, other than those to which paragraph (a) above shall apply, shall result in a development and/or redevelopment in excess of a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m).
- (c) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio and building height restrictions stated in paragraph (b) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

GOVERNMENT, INSTITUTION OR COMMUNITY

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
<p>Ambulance Depot</p> <p>Animal Quarantine Centre (in Government building only)</p> <p>Broadcasting, Television and/or Film Studio</p> <p>Eating Place (Canteen, Cooked Food Centre only)</p> <p>Educational Institution</p> <p>Exhibition or Convention Hall</p> <p>Field Study/Education/Visitor Centre</p> <p>Government Refuse Collection Point</p> <p>Government Use (not elsewhere specified)</p> <p>Hospital</p> <p>Institutional Use (not elsewhere specified)</p> <p>Library</p> <p>Market</p> <p>Pier</p> <p>Place of Recreation, Sports or Culture</p> <p>Public Clinic</p> <p>Public Convenience</p> <p>Public Transport Terminus or Station</p> <p>Public Utility Installation</p> <p>Public Vehicle Park (excluding container vehicle)</p> <p>Recyclable Collection Centre</p> <p>Religious Institution</p> <p>Research, Design and Development Centre</p> <p>Rural Committee/Village Office</p> <p>School</p> <p>Service Reservoir</p> <p>Social Welfare Facility</p> <p>Training Centre</p> <p>Wholesale Trade</p>	<p>Animal Boarding Establishment</p> <p>Animal Quarantine Centre (not elsewhere specified)</p> <p>Columbarium</p> <p>Correctional Institution</p> <p>Crematorium</p> <p>Driving School</p> <p>Eating Place (not elsewhere specified)</p> <p>Funeral Facility</p> <p>Holiday Camp</p> <p>Off-course Betting Centre</p> <p>Office</p> <p>Petrol Filling Station</p> <p>Place of Entertainment</p> <p>Private Club</p> <p>Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation</p> <p>Residential Institution</p> <p>Sewage Treatment/Screening Plant</p> <p>Shop and Services</p> <p>Utility Installation for Private Project</p> <p>Zoo</p>

(Please see next page)

GOVERNMENT, INSTITUTION OR COMMUNITY (Cont'd)

Planning Intention

This zone is intended primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.

Remarks

- (a) 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 in terms of number of storeys as stipulated on the Plan, 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.

OPEN SPACE

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Aviary Barbecue Spot Field Study/Education/Visitor Centre Park and Garden Pavilion Pedestrian Area Picnic Area Playground/Playing Field Promenade Public Convenience Sitting Out Area	Eating Place Government Refuse Collection Point Government Use (not elsewhere specified) Holiday Camp Place of Entertainment Place of Recreation, Sports or Culture Private Club Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Religious Institution Shop and Services Tent Camping Ground Utility Installation for Private Project

Planning Intention

This zone is intended primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.

OTHER SPECIFIED USES

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Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
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For "Pier" Only

Pier  
Public Convenience

Government Use (not elsewhere specified)  
Marine Fuelling Station  
Public Utility Installation

Planning Intention

This zone is intended primarily to provide land for pier use.

Remarks

- (a) 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 in terms of number of storeys as stipulated on the Plan, 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.



GREEN BELT

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
<p>Agricultural Use Barbecue Spot Government Use (Police Reporting Centre only) Nature Reserve Nature Trail On-Farm Domestic Structure Picnic Area Public Convenience Tent Camping Ground Wild Animals Protection Area</p>	<p>Animal Boarding Establishment Broadcasting, Television and/or Film Studio Columbarium (within a Religious Institution or extension of existing Columbarium only) Crematorium (within a Religious Institution or extension of existing Crematorium only) Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) Helicopter Landing Pad Holiday Camp House (other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes) Petrol Filling Station Pier Place of Recreation, Sports or Culture Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation Religious Institution Residential Institution School Service Reservoir Social Welfare Facility Utility Installation for Private Project</p>

(Please see next page)

GREEN BELT (Cont'd)

Planning Intention

This zone is intended primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.

Remarks

Any diversion of streams, 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 (except public works co-ordinated or implemented by 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 the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

COASTAL PROTECTION AREA

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use (other than Plant Nursery) Barbecue Spot Nature Reserve Nature Trail On-Farm Domestic Structure Wild Animals Protection Area	Field Study/Education/Visitor Centre Government Use House (Redevelopment only) Pier Public Convenience Public Utility Installation Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation Tent Camping Ground Utility Installation for Private Project

Planning Intention

This zone is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion.

There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.

Remarks

- (a) No redevelopment, including alteration and/or modification, of an existing house shall result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan.
- (b) Any diversion of streams, 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.

SITE OF SPECIAL SCIENTIFIC INTEREST

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Grave (within designated burial ground in "SSSI(1)" only) Wild Animals Protection Area	Agricultural Use Field Study/Education/Visitor Centre Government Use Nature Reserve Nature Trail On-Farm Domestic Structure Picnic Area Public Convenience Public Utility Installation Tent Camping Ground Utility Installation for Private Project

Planning Intention

This zone is intended 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 streams, filling of land 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.

COUNTRY PARK

Country Park means a country park or special area as designated under the Country Parks Ordinance (Cap. 208). All uses and developments require consent from the Country and Marine Parks Authority and approval from the Town Planning Board is not required.

**DRAFT YIM TIN TSAI AND MA SHI CHAU  
OUTLINE ZONING PLAN NO.S/NE-YTT/C**

**EXPLANATORY STATEMENT**

DRAFT YIM TIN TSAI AND MA SHI CHAU  
OUTLINE ZONING PLAN NO. DPA/NE-YTT/C

EXPLANATORY STATEMENT

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**DRAFT YIM TIN TSAI AND MA SHI CHAU  
OUTLINE ZONING PLAN NO. S/NE-YTT/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. INTRODUCTION**

This Explanatory Statement is intended to assist an understanding of the draft Yim Tin Tsai and Ma Shi Chau Outline Zoning Plan (OZP) No. S/NE-YTT/C. It reflects the planning intention and objectives of the Town Planning Board (the Board) for various land-use zonings of the Plan.

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

- 2.1 On 12 March 2010 and 23 August 2011, under the power delegated by the Chief Executive, the Secretary for Development (SDEV) directed the Board, under section 3(1)(b) of the Town Planning Ordinance (the Ordinance), to prepare a draft plan designating the Yim Tin Tsai and Ma Shi Chau area as a development permission area.
- 2.2 On 2 September 2011, the draft Yim Tin Tsai and Ma Shi Chau DPA Plan No. DPA/NE-YTT/1 was exhibited for public inspection under section 5 of the Ordinance. Upon expiry of the two-month exhibition period, a total of 67 representations were received. Upon publication of the representations for public comments, 32 comments on representations were received. Upon consideration of the representations and comments on 13 April 2012, the Board decided to partially uphold some representations by rezoning the land designated under "Residential (Group D)" ("R(D)") zone to "Unspecified Use" area and deleting the Notes for the "R(D)" zone.
- 2.3 The proposed amendments to partially uphold some representations were exhibited for public inspection under section 6C(2) of the Ordinance on 27 April 2012. Upon expiry of the three-week exhibition period, a total of 150 further representations were received. Upon consideration of the 109 valid further representations on 13 July 2012, the Board decided not to uphold the further representations and to amend the draft DPA Plan by the proposed amendments.
- 2.4 On 4 September 2012, the Chief Executive in Council, under section 9(1)(a) of the Ordinance, approved the draft Yim Tin Tsai and Ma Shi Chau DPA Plan, which was subsequently renumbered as DPA/NE-YTT/2. The approved Yim Tin Tsai and Ma Shi Chau DPA Plan No. DPA/NE-YTT/2 was exhibited for public inspection on 14 September 2012 under section 9(5) of the Ordinance.



- 2.5 On 17 February 2014, under the power delegated by the Chief Executive, the SDEV directed the Board under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the Yim Tin Tsai and Ma Shi Chau area.
- 2.6 On XXXX, the draft Yim Tin Tsai and Ma Shi Chau OZP No. S/NE-YTT/1 (the Plan) was exhibited for public inspection under section 5 of the Ordinance.

### **3. OBJECT OF THE PLAN**

- 3.1 The object of the Plan is to indicate the broad land-use zonings for the area of Yim Tin Tsai and Ma Shi Chau so that development and redevelopment within the area of Yim Tin Tsai and Ma Shi Chau can be put under statutory planning control. It also provides the planning framework for preparing more detailed non-statutory plans which form the basis for public works planning and site reservation for various uses.
- 3.2 The Plan is to illustrate the broad principles of development and planning control only. It is a small-scale plan and the road alignments and boundaries between the land-use zones may be subject to minor alterations as detailed planning proceeds.
- 3.3 Since the plan is to show broad land use zonings, there would be cases that small strips of land not intended for building development purposes and carry no development right under the lease, such as the areas restricted for garden, slope maintenance and access road purposes, are included in the zones. The general principle is that such areas should not be taken into account in plot ratio and site coverage calculations. Development within zones should be restricted to building lots carrying development right in order to maintain the character and amenity of the area and not to overload the road network in this area.

### **4. NOTES OF THE PLAN**

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

### **5. THE PLANNING SCHEME AREA**

- 5.1 The Planning Scheme Area (the Area), which comprises four islands, namely Yim Tin Tsai (about 47.4ha), Ma Shi Chau (about 51.1ha), Yeung Chau (about 5.9ha) and a small island to northeast of Yim Tin Tsai (about 3.5ha), covers a

total area of about 107.95 ha. The Area is located in Tolo Harbour and forms part of the southern edge of Plover Cove. Yim Tin Tsai is accessible via Ting Kok Road off Sam Mun Tsai Road through the Sha Lan peninsula. Ma Shi Chau is connected to Yim Tin Tsai by a tombolo that is only accessible when the tide is low. The small island to the northeast of Yim Tin Tsai and Yeung Chau can only be reached by boat.

- 5.2 Yim Tin Tsai predominantly is rural in character comprising mainly village houses, natural hillsides covered with woodlands and two permitted burial grounds for indigenous villagers and fishermen. The Sam Mun Tsai San Tsuen and Luen Yick Fishermen Village located at the north of the Yim Tin Tsai facing the Shuen Wan Typhoon Shelter are mainly 2-storey tenement houses. There is a small-scale boat repairing workshop in temporary structures along the southern edge of the typhoon shelter. A low density private residential development and a church can be found at the northern tip of Yim Tin Tsai.
- 5.3 The small island to the northeast of Yim Tin Tsai (except three pockets of mainly private land), Ma Shi Chau (except parcel of land at Shui Mong Tin and a small circular area to the northeast of Shui Mong Tin) and Yeung Chau fall within the Ma Shi Chau Special Area. The whole island of Ma Shi Chau and the eastern tip of Yim Tin Tsai together with the tombolo connecting them are also within the Yim Tin Tsai and Ma Shi Chau Site of Special Scientific Interest (SSSI).

## 6. POPULATION

According to the 2011 Population Census, the total population of the Area was about 1,200 persons. It is expected that the total planned population of the Area would be about 1,450.

## 7. OPPORTUNITIES AND CONSTRAINTS

### 7.1 Opportunities

#### 7.1.1 Conservation and Natural Landscape

The Area is rural and natural in character with high geological value and landscape quality. The Yim Tin Tsai and Ma Shi Chau SSSI covers the eastern tip of Yim Tin Tsai and the whole island of Ma Shi Chau and the tombolo connecting them. Yim Tin Tsai and its surrounding area contain the best exposed, densest swarm of dykes varies from 3 to 20m wide. Yim Tin Tsai also contains unconformable contact of Tolo Harbour Formation with volcanic tuff of the Yim Tin Tsai Formation. Ma Shi Chau consists of the outcrop of Permian sedimentary rocks which is uncommon in Hong Kong. The southern and eastern portions of Ma Shi Chau have yielded a varied Permian fossil assemblage, including marine fauna and several plant fragments. The coastal area of Ma Shi Chau contains a variety of representative geological and landscape features such as folds, faults, tombolo, unconformities and

wave-cut platforms. It is an area of geological interest in the study of stratigraphy, palaeontology and geomorphology.

#### 7.1.2 Tourism Potential

Ma Shi Chau, Yeung Chau and a small island to the northeast of Yim Tin Tsai were designated as Ma Shi Chau Special Area on 9 April 1999 due to the diversity of geological features in the Area. Yeung Chau is an island made up of igneous rocks of granodiorite and is totally unspoiled. Ma Shi Chau nature trail is located along the southeastern shore of Ma Shi Chau which presents the Area's geological and landscape diversity to the visitors. Ma Shi Chau and Yeung Chau are included in Tolo Channel Geo-Area of the Hong Kong Global Geopark of China in 2011. The Tai Po Geoheritage Centre located in Sam Mun Tsai San Tsuen of Yim Tin Tsai introduces the natural environment, geological features, cultural and historical characteristic of the Area.

### 7.2 Constraints

#### 7.2.1 Nature Conservation

Yim Tin Tsai and Ma Shi Chau SSSI covers the eastern tip of Yim Tin Tsai, the whole island of Ma Shi Chau and the tombolo connecting them. Yim Tin Tsai contains the best exposed, densest swarm of dykes varies from 3m to 20m wide. Yim Tin Tsai also contains unconformable contact of Tolo Harbour Formation with volcanic tuff of the Yim Tin Tsai Formation. Ma Shi Chau together with Yeung Chau and the small island to the northeast of Yim Tin Tsai was designated as Ma Shi Chau Special Area on 9 April 1999 due to a variety of geological features. These areas with high geological value should be protected and preserved for the existing landscape character and resources. They are not suitable for any development.

#### 7.2.2 Transportation

Yim Tin Tsai is accessible via Ting Kok Road off Sam Mun Tsai Road through the Sha Lan Peninsula. Ma Shi Chau is connected to Yim Tin Tsai by a tombolo that is only accessible when the tide is low. For the small island to the northeast of Yim Tin Tsai, it is not accessible by road or footpath. For Yeung Chau, it can only be reached by boat.

#### 7.2.3 Geotechnical Safety

The Area comprises natural terrain with a long history of instability and is subject to potential landslide hazards. For the future development in the Area, the project proponent may require to carry out a natural terrain hazard study and provide suitable hazard mitigation measures, if found necessary, as part of the development.

#### 7.2.4 Landscape Character

With reference to the Landscape Value Mapping of Hong Kong (2005), the overall landscape value of the Area is high. The northern part of Yim Tin Tsai, with the village cluster of Sam Mun Tsai San Tsuen and Luen Yick Fishermen Village, is rated as 'Moderate' landscape value with rural fringe landscape character. The central and southern part of Yim Tin Tsai is mainly covered by woodland and shrub and rated as 'High' landscape value with coastal upland and hillside landscape character. However, there are two permitted burial grounds in the southern part of Yim Tin Tsai. Ma Shi Chau is also rated with 'High' landscape value with an island landscape of the coastal water landscape. The area is part of the Ma Shi Chau Special Area with a diverse set of geological features. Most of the island is undisturbed.

#### 7.2.5 Burial Grounds

There are two permitted burial grounds which cover most of the southern part of Yim Tin Tsai and are not suitable for any development.

#### 7.2.6 Sewerage

There are public sewers at the northern part of Yim Tin Tsai and three sewerage pumping stations in the Area to serve the need of the population. There is no committed/planned sewerage project for the Area. Any increase in population or number of visitors to the Area or further recreation/residential developments will require additional facilities.

#### 7.2.7 Infrastructure and Utility Services

The Yim Tin Tsai and Ma Shi Chau area are provided with electricity, telephone services and water supply. There are no committed/planned sewerage and drainage projects planned for the Area.

### 8. GENERAL PLANNING INTENTION

- 8.1 The general planning intention of the Area is to conserve the areas of high landscape and geological significance, to protect the unique landscape character and to maintain the rural and natural character of the Area. It is also intended to provide appropriate planning control for low-rise, low density residential developments as well as improvement and upgrading of existing temporary structures through redevelopment of existing temporary structures into permanent buildings.



9. LAND-USE ZONINGS

9.1 "Residential (Group C)" ("R(C)") : Total Area 0.29 ha

- 9.1.1 The planning intention of this zone is primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.
- 9.1.2 The only development within this zone is Springdale Garden located at the northern tip of Yim Tin Tsai, which is a low-rise, low-density residential development. The development is restricted to a maximum gross floor area of 2,325m<sup>2</sup> and a maximum building height of 3 storeys, or the gross floor area and height of the existing building, whichever is the greater, so that the existing development intensity, which blends in well with the surroundings, can be maintained.
- 9.1.3 To provide flexibility for innovative design adapted to the characteristics of this particular site, minor relaxation of the gross floor area/building height restrictions may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

9.2 "Residential (Group D)" ("R(D)") : Total Area 3.73 ha

- 9.2.1 The planning intention of this zone is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board.
- 9.2.2 This zone mainly covers Sam Mun Tsai San Tsuen, Luen Yick Fishermen Village and the surrounding area occupied by some village houses and temporary domestic structures. The two villages were built in the 1960s and 1970s by the government and charity groups for the re-settlement of villagers and fishermen affected by Government project at that time.
- 9.2.3 To allow for upgrading and improvement, redevelopment of existing temporary structure or existing building shall not result in a total development and/or redevelopment in excess of a maximum building area of 37.2m<sup>2</sup> and a maximum building height of 2 storeys (6m), or the building area and height of the existing building, whichever is the greater. Rebuilding of New Territories Exempted Houses (NTEH) and replacement of an existing domestic building which was in existence on the date of the first publication in the Gazette of the notice of draft DPA Plan by a NTEH are always permitted in this zone. Apart from the intention of residential upgrading, low-rise and low-density residential developments may be permitted on application to the Board. To be in line with the general development intensity of the surrounding areas, residential development including redevelopment for 'Flat' and 'House' (except 'New Territories Exempted House') uses shall not result in a

total development in excess of a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m).

- 9.2.4 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the plot ratio and building height restrictions may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

9.3 “Government, Institution or Community” (“G/IC”) : Total Area 0.72 ha

- 9.3.1 The planning intention of this zone is primarily for the provision of GIC facilities serving the needs of the local residents and a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.
- 9.3.2 The “G/IC” zone covers the area currently used as a church, a vacant village school in Yim Tin Tsai and a proposed village office site at Luen Yick Fishermen Village. An area at the northern tip of Yim Tin Tsai is reserved for government, institution or community purpose.
- 9.3.3 To preserve the rural and low-rise character of the Area as well as provide spatial and visual relief, development/redevelopment within this zone should be restricted to a maximum building height as stipulated on the Plan or the height of building which was in existence on the date of first publication in the Gazette of the notice of the DPA plan, whichever is greater.
- 9.3.4 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height restriction may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

9.4 “Open Space” (“O”) : Total Area 0.42 ha

- 9.4.1 The planning intention of this zone is primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.
- 9.4.2 The “O” zone covers the Sam Mun Tsai Children’s Playground and an open area with a rain shelter at Luen Yick Fishermen Village.

9.5 “Other Specified Uses” (“OU”) : Total Area 0.03 ha

- 9.5.1 This zone is intended for specified development(s) and/or uses, which is/are specified in the annotation of the zone. There is only one “OU” zone on the Plan, which is annotated ‘Pier’ and covers two sites presently used as piers located at north and south of Yim Tim Tsai respectively.

9.5.2 Development within this zone should be restricted to a maximum building height stipulated on the Plan or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft DPA Plan, whichever is the greater.

9.5.3 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height restriction may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

9.6 "Green Belt" ("GB") : Total Area 28.67 ha

9.6.1 The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.

9.6.2 Areas with natural vegetation, woodland, hilly terrain, hillside shrubland and grassland have been designated as "GB" to protect existing green areas and preserve the hilly terrain in the Area.

9.6.3 The "GB" zone mainly covers the vegetated hill slopes of the central and southern part of Yim Tin Tsai and the coastal area of the north-eastern part of Yim Tin Tsai as well as the three pockets of land on the small island northeast of Yim Tin Tsai. There are two traditional burial grounds at the southern part of the Yim Tin Tsai which are within this zone. They have been in existence for many years, which is considered as an existing use and intended for burial places of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities within this zone are generally tolerated.

9.6.4 There is a general presumption against development within this zone. Development in this zone will be strictly controlled. Development proposals will be considered by the Board on individual merits taking into account the relevant Town Planning Board Guidelines.

9.6.5 As diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities except public works coordinated or implemented by Government, and maintenance, repair or rebuilding works.

9.7 "Coastal Protection Area" ("CPA") : Total Area 9.01 ha

9.7.1 The planning intention of this zone to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection

areas sheltering nearby developments against the effects of coastal erosion. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.

9.7.2 This zone covers the coastal areas along southern, western and north-eastern parts of Yim Tin Tsai which primarily consist of coastal vegetation, rocky and boulder coasts fringing Yim Tin Tsai. This zone also covers Yim Tin Tsai Site of Archaeological Interest.

9.7.3 New residential development is not permitted under this zone. Redevelopment of existing houses may be permitted on application to the Board. The redevelopment of existing house shall not result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication of the DPA Plan.

9.7.4 In view of the conservation value of the area within this zone, permission from the Board is required for diversion of streams, filling of land/pond or excavation of land that may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment.

9.8 "Site of Special Scientific Interest" ("SSSI") : Total Area 7.24 ha

9.8.1 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 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.

9.8.2 This zone mainly covers the eastern tip of Yim Tin Tsai, Shui Mong Tin of Ma Shi Chau, the tombolo connecting them and a small circular area to the northeast of Shui Mong Tin, forming part of the Yim Tin Tsai and Ma Shi Chau SSSI but not covered by the Ma Shi Chau Special Area. The SSSI was designated since 24 September 1982. Yim Tin Tsai and its surrounding area contain the best exposed, densest swarm of dyke varied from 3 to 20m wide. Yim Tin Tsai also contains unconformable contact of Tolo Harbour Formation with volcanic tuff of the Yim Tin Tsai Formation.

9.8.3 As development may affect the rocky outcrops and geological features of the site, relevant departments including the Planning Department and the Agriculture, Fisheries and Conservation Department should be consulted on any development proposals.

9.8.4 In view of the conservation value of the area within this zone, permission from the Board is required for diversion of streams, filling and excavation of land that may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment. Grave is not permitted within this zone.

9.8.5 Notwithstanding, the "SSSI(1)" zone, located on the eastern part of Yim Tin Tsai, forms part of the designated burial grounds for indigenous villagers and local fishermen. Grave within the designated burial ground in this sub-zone is always permitted.

9.9 "Country Park" ("CP") : Total Area 57.84 ha

Country Park means a country park or special area as designated under the Country Parks Ordinance (Cap. 208). This zone covers the whole island of Yeung Chau, small island to the northeast of Yim Tin Tsai (except three pockets of "GB" zones) and the whole island of Ma Shi Chau (except parcel of land at Shui Mong Tin and a circular area zoned as "SSSI" on the northeast of Shui Mong Tin). These areas were designated as Ma Shi Chau Special Area on 9 April 1999. All uses and developments within Ma Shi Chau Special Area require consent from the Country and Marine Parks Authority and approval from the Board is not required.

10. COMMUNICATIONS

10.1 Road Network

While the northern tip of Yim Tin Tsai is accessible from Sam Mun Tsai Road connecting to Ting Kok Road, the remainder of the Area is overgrown with vegetation and inaccessible by vehicle. There are a few informal off-street parking spaces within the Area. Most of the village houses and the burial ground are inaccessible by vehicular access. There is no plan to further extend the existing road network in the Area.

10.2 Public Transport

The northern part of Yim Tin Tsai could be accessible by mini-bus and taxis.

11. UTILITIES SERVICES

There is no existing public drain in the Area. There are existing sewerage facilities, water supply, electricity and telephone services for the northern part of Yim Tin Tsai island. While there are no planned drainage or sewerage works in the Area, all development proposals are required to demonstrate that no adverse drainage and sewerage impacts would be caused to the Area.



**12. CULTURAL HERITAGE**

A site of archaeological interest is located within the southern part of the Area, namely Yim Tin Tsai Site of Archaeological Interest, which is worthy of preservation. Any development or redevelopment on it should be avoided as far as possible. Prior consultation with the Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department and the Commissioner for Heritage's Office of the Development Bureau should be made, if any development, redevelopment or rezoning proposal might affect the above site and its immediate environs. An assessment shall be conducted to evaluate the archaeological impact imposed by the proposed works if there is any development within the site of archaeological interest. If necessary, a professional archaeologist shall be engaged to apply for a licence from the Antiquities Authority under the Antiquities and Monuments Ordinance (Cap.53) for an archaeological field investigation to evaluate whether the proposed works is acceptable from an archaeological preservation point of view and propose appropriate mitigation measures.

**13. IMPLEMENTATION**

- 13.1 The Plan provides a broad land-use framework for development control and implementation of planning proposals for the Area. More detailed plans will be prepared as a basis for public works planning and private developments.
- 13.2 At present there is no overall programme for the provision of infrastructure within the Area. The implementation process will be gradual and may stretch over a long period of time depending on the availability of resources. It will be undertaken through the participation of both the public and private sectors.
- 13.3 Notwithstanding the above, minor improvement works, e.g. access improvement and laying of utility services will be implemented through the Public Works Programme and the Rural Public Works as and when resources are available. Private developments will be effected principally through private sector initiatives to develop or redevelop their properties in accordance with the zoned uses indicated on the Plan, provided that their proposals meet Government requirements.

**14. PLANNING CONTROL**

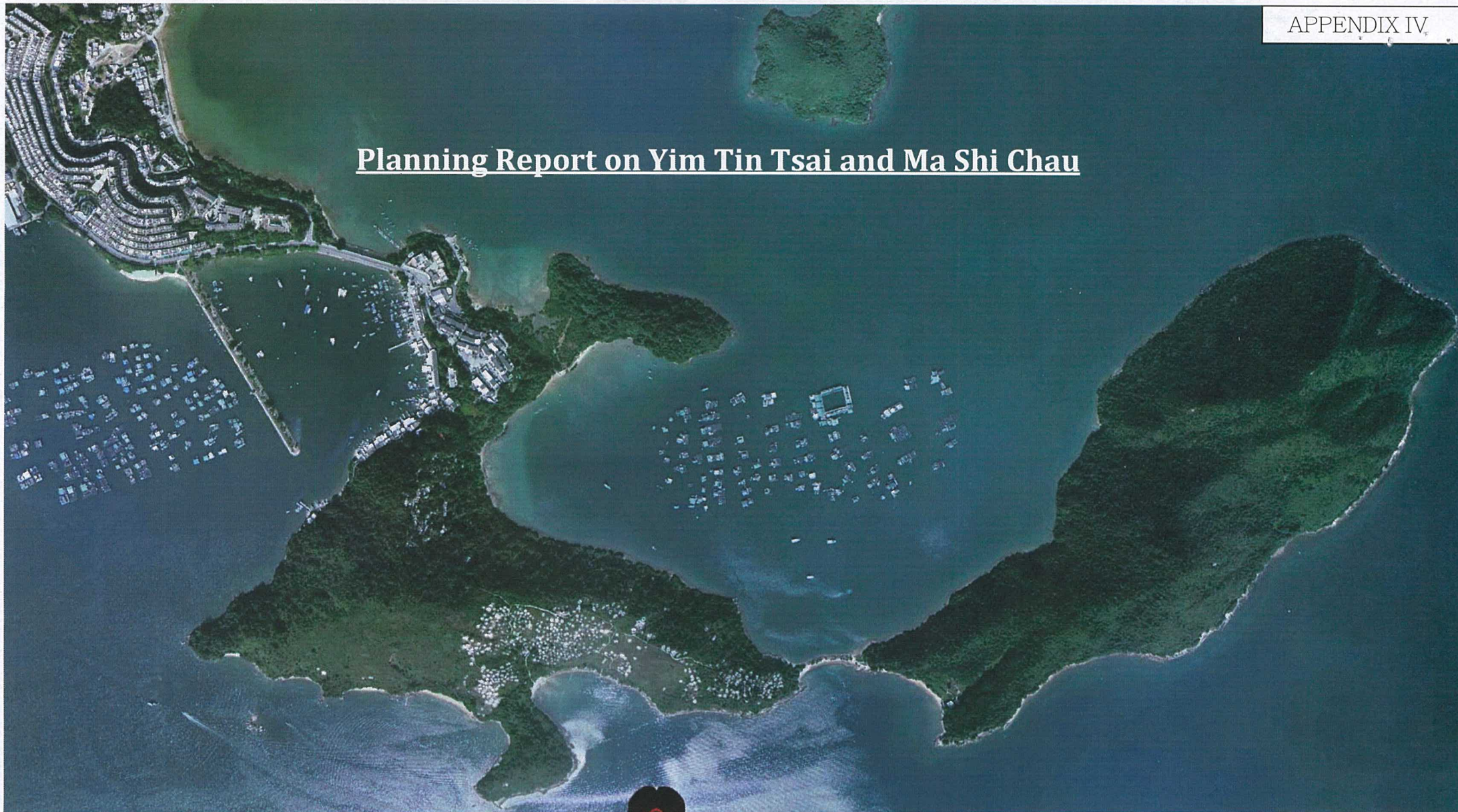
- 14.1 The types of permitted developments and uses on land within the Area are listed in the Notes to the Plan. Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted developments and uses within the same zone are always permitted and no separate permission is required.
- 14.2 Uses of land or building which were in existence immediately before the first publication in the Gazette of the notice of the draft DPA Plan and which are not in compliance with the terms of the Plan may have adverse impacts on the environment, drainage and traffic of the Area. Although no action is required to make such use conform to this Plan, any material change of such use or any

other development (except minor alteration and/or modification to the development of the land or building in respect of such use which is always permitted) must be always permitted in terms of the Plan or, if permission is required, in accordance with a permission granted by the Board. The Board will consider these applications on their individual merits. Those alteration and/or modification works which may lead to an environmental improvement or upgrading to the Area may be considered favourably by the Board.

- 14.3 Planning applications to the Board will be assessed on individual merits. In general, the Board, in considering the planning applications, will take into account all relevant planning considerations including guidelines published by the Board. Guidelines published by the Board are available from the Board's website, the Secretariat of the Board and the Technical Services Division of the Planning Department. Application forms and Guidance Notes for planning applications can be downloaded from the Board's website, and are available from the Secretariat of the Board, and the Technical Services Division and the relevant District Planning Office of the Planning Department. Applications should be supported by such materials as the Board thinks appropriate to enable it to consider the applications.
- 14.4 Any development, other than those referred to in paragraph 14.1 above or in conformity with this Plan or with the permission of the Board, undertaken or continued on land included in this Plan on or after the date of the first publication in the Gazette of the Notice of the draft DPA Plan may be subject to enforcement proceedings under the Ordinance. Any diversion of stream, filling of land/pond and excavation of land in the relevant zones on or after the date of 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.



# Planning Report on Yim Tin Tsai and Ma Shi Chau



Sha Tin, Tai Po & North  
District Planning Office  
Planning Department  
June 2014





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## 1. INTRODUCTION

### 1.1. Purpose of the Planning Report

The purpose of this Planning Report is to give an account of the background and an appraisal of the existing conditions, characteristics and development requirements of the Yim Tin Tsai and Ma Shi Chau area (the Area). It also aims at providing a basis for the preparation of an Outline Zoning Plan (OZP) for the Area and the formulation of a planning framework to guide future development.

### 1.2. Background

- 1.2.1. The Area (107.95ha) comprises of four islands including Yim Tin Tsai (47.4ha), Ma Shi Chau (51.1ha), Yeung Chau (5.9ha) and a small island (3.5ha) to the northeast of Yim Tin Tsai. The area is located in Tolo Harbour and forms part of the southern edge of Plover Cove (**Figure 1**).
- 1.2.2. The northern tip of Yim Tin Tsai is connected to the mainland in the west by Sam Mun Tsai Road leading to Ting Kok Road. The remainder of the Area is overgrown with vegetation and inaccessible by vehicles. The Area is rural and natural in character with high geological value and landscape quality.
- 1.2.3. In recent years, there have been public concerns about suspected unauthorized site formation works and private columbarium use at Shui Mong Tin in Ma Shi Chau causing adverse impacts on the natural vegetation and landscape of the Area. There is a need to better protect the natural scenic character and geological value of the Area from uncontrolled development through development control. There is an urgent need to prepare a Development Permission Area (DPA) Plan for the Area to facilitate proper planning control and enforcement. Under the power delegated by the Chief

Executive in Council (CE in C), on 12.3.2010 and 23.8.2011, the Secretary for Development directed the Town Planning Board (the Board) to prepare a draft plan designating the Area as a DPA plan.

- 1.2.4. The draft Yim Tin Tsai and Ma Shi Chau DPA Plan No. DPA/NE-YTT/1 was exhibited for public inspection on 2.9.2011. During the plan exhibition period, a total of 67 representations and 32 comments were received. After giving consideration to the representations and comments on 13.4.2012, the Board decided to partially uphold the representations by rezoning the land designated under “Residential (Group D)” (“R(D)”) zone to “Unspecific Use” area and deleting the Notes for the “R(D)” zone. The proposed amendments to partially uphold the representations were exhibited for public inspection under section 6C(2) of the Town Planning Ordinance (the Ordinance) on 27.4.2012. During the exhibition, a total of 109 valid further representations were received and the Board decided not to amend the draft DPA Plan by the proposed amendments on 13.7.2013.
- 1.2.5. On 4.9.2012, the CE in C approved the draft Yim Tin Tsai and Ma Shi Chau DPA Plan, which was subsequently renumbered as DPA/NE-YTT/2 (**Figure 2**). On 14.9.2012, the approved Yim Tin Tsai and Ma Shi Chau DPA Plan. No. DPA/NE-YTT/2 was exhibited for public inspection under section 9(5) of the Ordinance.
- 1.2.6. Pursuant to section 20(5) of the Ordinance, the DPA Plan is effective for three years until 2.9.2014. On 17.2.2014, under the power delegated by the Chief Executive, the Secretary for Development directed the Board under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the Yim Tin Tsai and Ma Shi Chau area.

## 2. The Study Area

### 2.1. Location

- 2.1.1. The Area covers a total area of about 107.95 ha, comprising four islands, Yim Tin Tsai, Ma Shi Chau, Yeung Chau and a small island to the northeast of Yim Tin Tsai. There is one recognized village in the area, namely, Sam Mun Tsai San Tsuen. The location of the Area is shown in **Figures 3 and 4**.

### 2.2. Natural Feature

#### *Physical Setting and Topography*

- 2.2.1. Yim Tin Tsai is accessible via Ting Kok Road off Sam Mun Tsai Road through the Sha Lan peninsula. Ma Shi Chau is connected to Yim Tin Tsai by a tombolo that is only accessible when the tide is low. For Yeung Chau and the small island to the northeast of Yim Tin Tsai, they can only be reached by boat.
- 2.2.2. Yim Tin Tsai is rural in character comprising mainly village houses and natural hillsides covered with woodlands, and there are two permitted burial grounds for indigenous villagers and fishermen (**Figure 5a**). Sam Mun Tsai San Tsuen and Luen Yick Fishermen Village located at the northern part of the Yim Tin Tsai facing the Shuen Wan Typhoon Shelter are mainly 2-storey tenement houses (**Figure 6b**). There is a small-scale boat repairing workshop in temporary structures at the southern edge of the typhoon shelter. A low density private residential development and a church can be found at the northern tip of Yim Tin Tsai (**Figure 6a**).
- 2.2.3. The small island to the northeast of Yim Tin Tsai (except three pockets of mainly private land), Ma Shi Chau (except two pockets of land with private lots at Shui Mong Tin and a

small circular area to the northeast of Shui Mong Tin) and Yeung Chau fall within the Ma Shi Chau Special Area where various geological and landscape features are found. The whole island of Ma Shi Chau together with the eastern tip of Yim Tin Tsai are also within the Yim Tin Tsai and Ma Shi Chau SSSI (**Figure 9**)

#### *Natural Habitats*

- 2.2.4. Details of the natural habitats are listed below:

#### Fallow agricultural land

- (a) In Yim Tin Tsai, the fallow agricultural land is located mainly to the southeast of the tenement houses in the northern part of the island. With the decline of agricultural activities, agricultural land has been left fallow overgrown with grasses and shrubs, forming a young but disturbed woodland.
- (b) On the small island to the northeast of Yim Tin Tsai, there are three pockets of agricultural land. The agricultural land is overgrown with grasses, shrubs and young trees.
- (c) In Ma Shi Chau, there are two agricultural lands in Shui Mong Tin, the south-western part of the island.

### 2.3. Historical Development

- 2.3.1. While Sam Mun Tsai San Tsuen is a recognised village, Luen Yick Fishermen Village is not. Sam Mun Tsai San Tsuen is for the re-housing of villagers affected by the construction of Plover Cove Reservoir in 1965. Luen Yick Fishermen Village was completed in 1975.

2.3.2. Prehistoric artefacts were discovered in the southern part of Yim Tin Tsai. The archaeological potential area namely Yim Tin Tsai Site of Archaeological Interest (**Figure 9**), is recorded as a site of archaeological interest of Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department (LCSD).

## 2.4. Population

2.4.1. According to 2011 Population Census, the population of the Area was about 1,200 persons.

## 2.5. Existing Land Uses (Figures 6a and 6b)

The Area is rural and natural in character comprising mainly fallow agricultural land, shrubland and woodland located to the south of the villages. Sam Mun Tsai San Tsuen with 2-storey tenement houses is located at the northern portion of the Yim Tin Tsai. Undisturbed geological features are found in Ma Shi Chau, Yeung Chau and the small island to the northeast of Yim Tin Tsai. The major existing land uses include the following:

### *Village Settlement*

2.5.1. Sam Mun Tsai San Tsuen, located in the northern part of Yim Tin Tsai, is a recognized village and the only recognized village in the Area, consisting of about 163 building units and its village 'environs' ('VE') is shown on **Figure 6a**. The houses were completed in 1965 which are mostly two-storeys and occupied. Local shops can be found on the ground floor of some of the houses. There is a local track connecting these houses with Sam Mun Tsai Road. According to District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD), the Sam Mun Tsai San Tsuen does not have any Indigenous Inhabitant Representatives.

2.5.2. Luen Yick Fishermen Village is located in the northeast portion of Yim Tin Tsai which is not a recognized village. There are totally 107 building units which are mainly two-storeys tenement houses. Most of the tenement houses were completed in 1975 and mostly occupied.

2.5.3. While majority of the building units in Sam Mun Tsai San Tsuen and Luen Yick Fishermen Village are covered by Government Land Licences and Short Term Tenancies, some are covered by private treaty grants. Due to works projects of aqua privies and the Tolo Harbour Sewerage Project, Government Land Licences for Luen Yick Fishermen Village and a licence covering 36 building units in Sam Mun Tsai San Tsuen have been cancelled and pending re-issue. (**Figure 7b**)

### *Burial Ground*

2.5.4. There are two permitted burial grounds located in the southern part of Yim Tin Tsai (TP/E7 and TP/E13). There are also clusters of graves in the central and south-eastern part of Yim Tin Tsai (**Figure 7a**).

### *Government, Institution or Community (GIC) Facilities*

2.5.5. Major GIC facilities in the Area to meet the community needs include three sewerage pumping stations located at the western part of the Yim Tin Tsai. A church is located in the northern tip of Yim Tin Tsai. A vacant school is at the central part of Yim Tin Tsai (**Figure 8**).

### *Site of Archaeological Interest*

2.5.6. AMO advises that the Yim Tin Tsai Site of Archaeological Interest is located within the Area (**Figure 9**). Prehistoric artefacts were found in the site of archaeological interest.

*Site of Special Scientific Interest (SSSI)*

- 2.5.7. Yim Tin Tsai and Ma Shi Chau SSSI covers the eastern tip of Yim Tin Tsai, the whole island of Ma Shi Chau and the tombolo connecting them. The SSSI was designated on 24.9.1982. Yim Tin Tsai and its surrounding area contain the best exposed, densest swarm of dykes which varies from 3 to 20m wide in particular along the eastern coast of Yim Tin Tsai. Yim Tin Tsai also contains unconformable contact of Tolo Harbour Formation with volcanic tuff of the Yim Tin Tsai Formation. Designated burial grounds for indigenous villagers and local fishermen are located in the western part of the SSSI. **(Figure 9)**

*Ma Shi Chau Special Area*

- 2.5.8. Ma Shi Chau, Yeung Chau and a small island to the northeast of Yim Tin Tsai Island formed part of the Ma Shi Chau Special Area<sup>1</sup> on 9.4.1999 due to a variety of geological features such as folds, faults and unconformities in the Area. Fossils are found in Ma Shi Chau. Yeung Chau is an island made up of igneous rocks of granodiorite and is totally unspoiled.

*Open Space*

- 2.5.9. The Sam Mun Tsai Children's Playground is located in the central part of Yim Tin Tsai and the rain shelter cum the open area of the Luen Yick Fishermen village is located to north of the Playground. **(Figure 8).**

*Others*

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<sup>1</sup> Ma Shi Chau Special Area comprises of four areas including Ma Shi Chau, Yeung Chau, a small island to the northeast of Yim Tin Tsai and Centre Island which is not within the planning scheme area.

- 2.5.10. A boatyard and engineering workshop is located at the western coast of Yim Tin Tsai to the east to lighthouse.

**2.6. Land Ownership (Figure 7a)**

- 2.6.1. The majority of land in the Area (about 97.2%) is government land. The remaining 2.8% are private land comprising mainly fallow agricultural land and some building lots in the northern part of Yim Tin Tsai and along the shore at the southern entrance of the Shuen Wan Typhoon Shelter.

**2.7. Building Height (Figure 6b)**

- 2.7.1. The build up area of the Area is confined in the northern portion of Yim Tin Tsai. Buildings are ranging from 1 to 4 storeys in height. In the northern portion of Yim Tin Tsai, most domestic structures are two storeys in height except a few of them are one storey. However, House No. 80 to east of Yim Tin Tsai Children Playground is four storeys high. The low density residential development in the northern tip of the Yim Tin Tsai is of 3 storeys high. Generally, the buildings in the Area are low-rise development.

Transportation

**2.7.2. Road Network and Footpath**

While the northern tip of Yim Tin Tsai is accessible from Sam Mun Tsai Road connecting to Ting Kok Road, the remainder of the Area is overgrown with vegetation and inaccessible by vehicle. There are few informal off-street parking spaces within the Area. Most of the village houses and the burial ground are inaccessible by vehicular access. There is no plan to further extend the existing road network in the Area.

2.7.3. Public Transport

The northern part of the Area could be accessible by mini-bus and taxis.

2.7.4. Others

There are two piers on Yim Tin Tsai, one located to the west of Sam Mun Tsai Sewerage Pumping Station No.1 and the other located to the east of Springdale Garden. Several jetties are located along the north-western coastline of Yim Tin Tsai.

2.8. **Infrastructure and Utility Services**

- 2.8.1. There are existing sewerage facilities, water supply, electricity which is supplying from a substation at Yim Tin Tsai and telephone services for the northern tip of Yim Tin Tsai.

3. **Planning Analysis**

3.1. **Planning Context**

- 3.1.1. The Yim Tin Tsai and Ma Shi Chau area is located in the Tolo Harbour and forms part of the southern edge of Plover Cove. Yim Tin Tsai consists of village settlement in the northern part of the island and a large piece of burial ground located in the southern portion of the island. Ma Shi Chau, Yeung Chau and the small island to the northeast of Yim Tin Tsai form most part of the Ma Shi Chau Special Area except a few pockets of private lots. Due to the high sensitivity and high geological value of the Special Area, the planning framework for the area should fundamentally be for the preservation of the natural environment. Any large scale development is not recommended.
- 3.1.2. With reference to the Landscape Value Mapping of Hong Kong (2005), the Yim Tin Tsai has a rural landscape

character which comprises mainly fallow agricultural land and surrounded by shrubs. Sam Mun Tsai San Tsuen with few village houses is located in the northern portion of Yim Tin Tsai island connected with Sam Mun Tsai Road. The northern part of Yim Tin Tsai, with the village cluster of Sam Mun Tsai San Tsuen and Luen Yick Fishermen Village, is rated as 'Moderate' landscape value with rural fringe landscape character. The central and southern part of Yim Tin Tsai is mainly covered by woodland and shrub and rated as 'High' landscape value with coastal upland and hillside landscape character. However, there is a burial ground in the southern part of the Yim Tin Tsai. The Ma Shi Chau is also rated with "High" landscape value with an island landscape of the coastal water landscape. Ma Shi Chau is connected to Yim Tin Tsai with a tombolo when the tide is low. The area is part of the Ma Shi Chau Special Area with a diverse set of geological features. Most of the island is undistributed.

*Conservation and Geological features (Figure 5b and 9)*

- 3.1.3. The Area is rural and natural in character with high geological value and landscape quality. The Yim Tin Tsai and Ma Shi Chau SSSI covers the eastern tip of Yim Tin Tsai and the whole island of Ma Shi Chau as well as the tombolo connecting them. Yim Tin Tsai and its surrounding area contain the best exposed, densest swarm of dykes which varies from 3 to 20m wide in particular along the eastern coast of Yim Tin Tsai. Yim Tin Tsai also contains unconformable contact of Tolo Harbour Formation with volcanic tuff of the Yim Tin Tsai Formation. Ma Shi Chau consists of the outcrop of Permian sedimentary rocks which is uncommon in Hong Kong. The southern and eastern portion of Ma Shi Chau has yielded a varied Permian fossil assemblage, including marine fauna and several plant fragments. The coastal area of Ma Shi Chau contains a



variety of representative geological and landscape features such as folds, faults, tombolo, unconformities and wave-cut platforms (**Figure 5b**). It is an area of geological interest in the study of stratigraphy, palaeontology and geomorphology.

3.1.4. Ma Shi Chau, Yeung Chau and a small island to the northeast of Yim Tin Tsai were designated as part of the Ma Shi Chau Special Area on 9.4.1999 due to the diversity of geological features in the Area. Pockets of land involving private ownership are excluded from the Special Area. Yeung Chau is an island made up of igneous rocks of granodiorite and is totally unspoiled. Ma Shi Chau nature trail is located along the southeastern shore of Ma Shi Chau which presents the Area's geological and landscape diversity to the visitors. Ma Shi Chau and Yeung Chau are included in Tolo Channel Geo-Area of the Hong Kong Global Geopark of China in 2011. Besides, the whole area of Ma Shi Chau and the eastern tip of Yim Tin Tsai including the tombolo are designated as "Site of Special Scientific Interest". The land parcel at Shui Mong Tin was previously involved in a suspected unauthorized development for columbarium which was not permitted under the lease. Lease enforcement action had been taken by the lands authority and the site had been reverted to the Government in 2012.

3.1.5. Yim Tin Tsai Site of Archaeological Interest is located within the Area in the southern part of Yim Tin Tsai (**Figure 9**). Prehistoric artefacts were found in the site of archaeological interest.

#### Land for Village Development

3.1.6. There are two villages in the Area, namely Sam Mun Tsai San Tsuen and Luen Yick Fishermen Village. They are mainly 2-storey tenement houses. The Luen Yick Fishermen Village (107 building units) was constructed in 1975 and are covered by a Government Land Licence. Sam Mun Tsai San Tsuen (163 building units) was constructed in 1965 for re-housing of villagers affected by the construction project of Plover Cove Reservoir. Sam Mun Tsai San Tsuen is the only recognized village within the Area.

3.1.7. The area covering Sam Mun Tsai San Tsuen and Luen Yick Fishermen Village was proposed to be zoned as "R(D)" subject to a maximum plot ratio of 0.4 and a maximum building height of 2 storeys upon the first publication of DPA Plan on 2.9.2011. However, Tai Po Rural Committee opposed to the designation of "R(D)" for Sam Mun Tsai San Tsuen and Luen Yick Fishermen Village mainly on grounds that they considered the residents as indigenous villagers and would not be able to redevelop their houses under the restrictions stipulated under the "R(D)" zone. In this connection, Tai Po Rural Committee proposed to rezone the area to "V". The Board decided on 13.4.2012 to partially uphold some representations by rezoning the land designated under "R(D)" zone to "Unspecified Use" area and deleting the Notes for the "R(D)" zone so that appropriate land use zonings could be worked out in the preparation of the OZP stage.

3.1.8. District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) has been consulted and advises that there is no Indigenous Inhabitant Representative (IIR) for the concerned village and no future 10-years Small House demand forecast for Sam Mun Tsai San Tsuen. There have been seven Small House applications within the Area but all were rejected in 1990s as the applicants were not indigenous villagers.

Majority of the 163 building units within Sam Mun Tsai are covered by Government Land Licences and Short Term Tenancies. Some are covered by private treaty grants. Due to the works projects of two aqua privies and Tolo Harbour Sewerage Works, the Government Land Licences covering 36 building units in Sam Mun Tsai San Tsuen and 107 building units in Luen Yick Fishermen Village have been cancelled respectively and pending re-issue. **(Figure 7b)** In general, houses under Government Land Licences or Short Term Tenancies are regarded temporary in nature and the licensee or tenant has no proprietary right to redevelop the house.

- 3.1.9. Luen Yick Fishermen Village is not a recognized village and although Sam Mun Tsai San Tsuen is a recognized village with village 'environs' ('VE'), there is no IIR and indigenous villagers of Sam Mun Tsai San Tsuen. There is also no Small House demand nor outstanding Small House application as well as no information to ascertain that the existing residents are indigenous villagers of Sam Mun Tsai San Tsuen eligible for Small House grant under the current Small House policy. With reference to the circumstances of the two villages, the site conditions of the area taking account of the existing village settlement, environmental conditions and natural terrain of the area, PlanD considers "R(D)" zoning more appropriate for the area covering both Luen Yick Fishermen Village and Sam Mun Tsai San Tsuen and the surrounding area which are mainly domestic and temporary structures. "R(D)" zoning is intended primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board. In the event that there is Small House application from

indigenous villagers from other villages in Tai Po Heung, there is provision under the Notes of the OZP for planning application of House (including NTEH/Small House) development within the "R(D)" zone which can duly address the concerns of the Tai Po Rural Committee. Each application will be considered on its individual planning merits by the Board.

### 3.2. Development Constraints (Figure 10)

#### *Nature Conservation*

- 3.2.1. Yim Tin Tsai and Ma Shi Chau SSSI covers the eastern tip of Yim Tin Tsai, the whole island of Ma Shi Chau and the tombolo connecting them **(Figure 9)**. Yim Tin Tsai and its surrounding area contain the best exposed, densest swarm of dykes which varies from 3 to 20m wide in particular along the eastern coast of Yim Tin Tsai. Yim Tin Tsai also contains unconformable contact of Tolo Harbour Formation with volcanic tuff of the Yim Tin Tsai Formation. A designated burial ground for indigenous villagers and local fishermen is located in the north-western part of the SSSI. Ma Shi Chau Special Area was designated as Ma Shi Chau Special Area on 9.4.1999 due to a variety of geological features. These areas with high geological value should be protected and preserved for the existing landscape character and resources. They are not suitable for any development.

#### *Transportation*

- 3.2.2. Yim Tin Tsai is accessible via Ting Kok Road off Sam Mun Tsai Road through the Sha Lan Peninsula. The Ma Shi Chau is connected to Yim Tin Tsai by a tombolo that is only accessible when the tide is low. For the small island to the northeast of Yim Tin Tsai, it is not accessible by road or footpath. For Yeung Chau, it can only be reached by boat.

### *Geotechnical Safety*

- 3.2.3. The Area comprises natural terrain with a long history of instability and is subject to potential landslide hazards. For the future development in the Area, the project proponent may require to carry out a natural terrain hazard study and provide suitable hazard mitigation measures, if found necessary, as part of the development.

### *Landscape Character*

With reference to the Landscape Value Mapping of Hong Kong (2005), the overall landscape value of the Area is high. In the northern part of Yim Tin Tsai with the village cluster of Sam Mun Tsai San Tsuen and Luen Yick Fishermen Village is rated as 'Moderate' landscape value with rural fringe landscape character. The central and southern part of Yim Tin Tsai is mainly covered by woodland and shrub and rated as 'High' landscape value with coastal upland and hillside landscape character. However, there are two permitted burial grounds in the southern part of Yim Tin Tsai. Ma Shi Chau is also rated with 'High' landscape value with island landscape character. Ma Shi Chau is connected to Yim Tin Tsai with a tombolo when the tide is low. The area is part of the Ma Shi Chau Special Area with a diverse set of geological features. Most of the island is undisturbed. Thus, due to the unique landscape resources and the character of the Area, the planning intention is to protect and preserve the existing landscape character and resources.

### *Burial Grounds*

- 3.2.4. There are two permitted burial grounds which cover most of the southern part of Yim Tin Tsai and are not suitable for any development.

### *Sewerage Facilities*

There are public sewers at the northern part of Yim Tin Tsai and three sewerage pumping stations in the Area to serve the need of the population. There is no committed/planned sewerage project for the Area. Any increase in population or number of visitors to the Area or further recreation/residential developments will require additional facilities.

- 3.2.6. *Infrastructure and Utility Services*

The Yim Tin Tsai and Ma Shi Chau area are provided with electricity, telephone services and water supply. There are no committed/planned sewerage and drainage projects planned for the Area.

## **3.3. Development Opportunities**

### *Conservation and Natural Landscape*

- 3.3.1. The Area is rural and natural in character with high geological value and landscape quality. The Yim Tin Tsai and Ma Shi Chau SSSI covers the eastern tip of Yim Tin Tsai and the whole island of Ma Shi Chau and the tombolo connecting them. Yim Tin Tsai and its surrounding area contain the best exposed, densest swarm of dykes varies from 3 to 20m wide. Yim Tin Tsai also contains unconformable contact of Tolo Harbour Formation with volcanic tuff of the Yim Tin Tsai Formation. Ma Shi Chau consists of the outcrop of Permian sedimentary rocks which is uncommon in Hong Kong. The southern and eastern portion of Ma Shi

Chau has yielded a varied Permian fossil assemblage, including marine fauna and several plant fragments. The coastal area of Ma Shi Chau contains a variety of representative geological and landscape features such as folds, faults, tombolo, unconformities and wave-cut platforms. It is an area of geological interest in the study of stratigraphy, palaeontology and geomorphology.

#### *Tourism Potential (Figure 8)*

Ma Shi Chau, Yeung Chau and a small island to the northeast of Yim Tin Tsai were designated as Ma Shi Chau Special Area on 9.4.1999 due to the diversity of geological features in the Area. Yeung Chau is an island made up of igneous rocks of granodiorite and is totally unspoiled. Ma Shi Chau nature trail is located along the southeastern shore of Ma Shi Chau which presents the Area's geological and landscape diversity to the visitors. Ma Shi Chau and Yeung Chau are included in Tolo Channel Geo-Area of the Hong Kong Global Geopark of China in 2011. The Tai Po Geoheritage Centre located in Sam Mun Tsai San Tsuen of Yim Tin Tsai introduces the natural environment, geological features, cultural and historical characteristic of the Area.

### **3.4. Development Pressure**

- 3.4.1. There has been suspected unauthorized site formation works and private columbarium use at Shui Mong Tin in Ma Shi Chau from 2008 to 2011. Lease enforcement action had been taken by Lands Department.
- 3.4.2. The northern part of Yim Tin Tsai is mainly occupied by 2-storey tenement houses, domestic and temporary structures of Sam Mun Tsai and Luen Yick Fishermen Village. Most of these structures have been built over 50 years which may require improvement or redevelopment.

### **3.5. Development Proposals Received Since the Gazettal of the DPA Plan**

- 3.5.1. Since the gazettal of the draft DPA Plan on 2.9.2011, and in the course of preparing the Plan, three planning applications have been received. These applications are mainly related to development of village office.
  - (a) Tai Po Rural Committee and villagers suggested to rezone the Sam Mun Tsai San Tsuen and Luen Yick Fishermen Village from "Residential (Group D)" ("R(D)") to "Village Type Development" ("V") zone.
  - (b) Green/concern groups and individuals suggested to protect the SSSI and the Ma Shi Chau Special Area by conservation zones.
- 3.5.2. Since the gazettal of the draft DPA Plan on 2.9.2011, and in the course of preparing the Plan, three planning applications have been received. Planning application No. A/DPA/NE-YTT/1 for a proposed village office at Luen Yick Fishermen Village, Yim Tin Tsai was approved with conditions by the Rural and New Town Planning Committee (RNTPC) of the Board on 25.1.2013 mainly on consideration of its small scale development, not incompatible with the rural surrounding area and unlikely causing adverse impacts on the surrounding areas. Planning Application No. A/DPA/NE-YTT/2 for proposed village office cum community service centre at former Fish Marketing Organization Sam Mun Tsai San Tsuen Primary School was approved with conditions on 1.3.2013 mainly on similar grounds as application No. A/DPA/NE-YTT/1. Another planning application No. A/DPA/NE-YTT/3 for a proposed village office covering a similar site with a slightly larger area under Application No. A/DPA/NE-YTT/1 was also approved with by the RNTPC

on 13.6.2014. Details of the applications are summarized at Annex I.

#### **4. PLANNING PROPOSALS**

##### **4.1. The Outline Zoning Plan**

The draft Yim Tin Tsai and Ma Shi Chau OZP (the Plan) prepared under section 3(1)(a) of the Ordinance is to provide a statutory basis for planning control over the Area. It will supersede the approved Yim Tin Tsai and Ma Shi Chau DPA Plan No. DPA/NE-YTT/2, which was exhibited for public inspection under section 9(5) of the Ordinance on 14.9.2012. Uses and development that are always permitted and those for which the Board's permission must be sought in various zones are set out in a schedule of Notes attached to the Plan. Also accompanying the Plan is an Explanatory Statement to assist an understanding of the Plan and to reflect the planning intentions and objectives of the Board for various land-use zonings.

##### **4.2. Planning Objectives**

4.2.1. The development of the Area should gear towards the following objectives:

- (a) to provide a comprehensive planning framework to guide the development on an integrated and co-ordinate basis;
- (b) to conserve the Area's outstanding natural landscape and geological value in safeguarding the natural habitat and natural system of the wider area; and
- (c) to preserve the natural and rural character of the Area.

##### **4.3. Planning Principles**

4.3.1. The main planning principles below are adopted for preparation of the planning and development proposals of the Area:

- (a) The Area is located in Tolo Harbour and form parts of the southern edge of Plover Cove which includes the Ma Shi Chau Special Area. The coastal area of Ma Shi Chau contains representative geological features such as folds, faults, unconformities. Fossils are also found in Ma Shi Chau. Yeung Chau is an island made up of igneous rocks of granodiorite and is totally unspoiled. The geological and landscape value of the Area is required to be protected and conserved.
- (b) Future development and redevelopment should also demonstrate such a low-rise characteristic and not to overtax the limited infrastructure.

##### **4.4. Land Use Proposals (Figure 11)**

4.4.1. In the designation of various land use zones in the Area, consideration has been given to the natural environment, physical landform, existing land use pattern, demand for Small Houses and availability of infrastructure. The following land use zones are proposed to be designated on the Plan.

4.4.2. Residential (Group C)" ("R(C)") (0.29 ha or 0.27%)

- (a) The planning intention of this zone is primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.
- (b) The only development within this zone is Springdale Garden located at the northern tip of Yim Tin Tsai,



which is a low-rise, low-density residential development. The development is restricted to a maximum gross floor area of 2,325m<sup>2</sup> and a maximum building height of 3 storeys, or the gross floor area and height of the existing building, whichever is the greater, so that the existing development intensity, which blends in well with the surroundings, can be maintained.

- (c) To provide flexibility for innovative design adapted to the characteristics of this particular site, minor relaxation of the gross floor area/building height restrictions may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

#### 4.4.3. Residential Development ("R(D)") (3.73 ha or 3.46%)

- (a) The planning intention of this zone is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board.
- (b) This zone mainly covers Sam Mun Tsai San Tsuen, Luen Yick Fishermen Village and the surrounding area occupied by some village houses and temporary domestic structures. The two villages were built in the 1960s and 1970s by the government and charity groups for the re-settlement of villagers and fishermen affected by Government project at that time.
- (c) To allow for upgrading and improvement, redevelopment of existing temporary structure or

existing building shall not result in a total development and/or redevelopment in excess of a maximum building area of 37.2m<sup>2</sup> and a maximum building height of 2 storeys (6m), or the building area and height of the existing building, whichever is the greater. Rebuilding of New Territories Exempted Houses (NTEH) and replacement of an existing domestic building which was in existence on the date of the first publication in the Gazette of the notice of draft DPA Plan by a NTEH are always permitted in this zone. Apart from the intention of residential upgrading, low-rise and low-density residential developments may be permitted on application to the Board. To be in line with the general development intensity of the surrounding areas, residential development including redevelopment for 'Flat' and 'House' (except 'New Territories Exempted House') uses shall not result in a total development in excess of a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m).

- (d) To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the plot ratio and building height restrictions may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

#### 4.4.4. Government, Institution or Community ("G/IC") (0.72 ha or 0.67%)

- (a) The planning intention of this zone is primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or

in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.

- (b) The “G/IC” zone covers the areas currently used as a church, a vacant village school in Yim Tin Tsai and the site proposed for village office at Luen Yick Fishermen Village. An area at the northern tip of Yim Tin Tsai is reserved for government, institution or community purpose.
- (c) To preserve the rural and low-rise character of the Area as well as provide spatial and visual relief, development/redevelopment within this zone should be restricted to a maximum building height as stipulated on the Plan or the height of building which was in existence on the date of first publication in the Gazette of the notice of the DPA plan, whichever is greater.
- (d) 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.

#### 4.4.5. Open Space (“O”) (0.42 ha or 0.39%)

- (a) The planning intention of this zone is primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.
- (b) The “O” zone covers the Sam Mun Tsai Children’s Playground and an open area with a rain shelter at Luen Yick Fishermen Village.

#### 4.4.6. Other Specify Use (“OU”) (0.03 ha or 0.03%)

- (a) The planning intention of this zone is intended for specified development(s) and/or uses, which is/are specified in the annotation of the zone. There is only one “OU” zone on the Plan, which is annotated ‘Pier’ and covers two sites presently used as piers located at north and south of Yim Tim Tsai respectively.
- (b) Development within this zone should be restricted to a maximum building height stipulated on the Plan or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft DPA Plan, whichever is the greater.
- (c) 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.

#### 4.4.7. Green Belt (“GB”) (28.67 ha or 26.56%)

- (a) The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.
- (b) Areas with natural vegetation, woodland, hilly terrain, hillside shrubland and grassland have been designated as “GB” to protect existing green areas and preserve the hilly terrain in the Area.
- (c) The “GB” zone mainly covers the vegetated hill slopes of the central and southern part of Yim Tin Tsai and the

coastal area of the north-eastern part of Yim Tin Tsai as well as the three pockets of land on the small island northeast of Yim Tin Tsai. There are two traditional burial grounds at the southern part of the Yim Tin Tsai which are within this zone. They have been in existence for many years, which are considered as existing use and intended for burial places of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities within this zone are generally tolerated.

- (d) There is a general presumption against development within this zone. Development in this zone will be strictly controlled. Development proposals will be considered by the Board on individual merits taking into account the relevant Town Planning Board Guidelines.
- (e) As diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities except public works coordinated or implemented by Government, and maintenance or repair works.

#### 4.4.8. Coastal Protection Area ("CPA") (9.01 ha or 8.35%)

- (a) The planning intention of this zone is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering

nearby developments against the effects of coastal erosion. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.

- (b) This zone covers the coastal areas along southern, western and north-eastern parts of Yim Tin Tsai which primarily consist of coastal vegetation, rocky and boulder coasts fringing Yim Tin Tsai. This zone also covers Yim Tin Tsai Site of Archaeological Interest.
- (c) New residential development is not permitted under this zone. Redevelopment of existing houses may be permitted on application to the Board. The redevelopment of existing house shall not result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication of the DPA Plan.
- (d) As diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.

#### 4.4.9. Site of Special Scientific Interest ("SSSI") (7.24 ha or 6.69%)

- (a) 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 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.

- (b) This zoning mainly covers the eastern tip of Yim Tin Tsai, Shui Mong Tin of Ma Shi Chau, the tombolo connecting them and a small circular area to the northeast of Shui Mong Tin, forming part of the Yim Tin Tsai and Ma Shi Chau SSSI but not covered by the Ma Shi Chau Special Area. The SSSI was designated since 24.9.1982. Yim Tin Tsai contains the best exposed, densest swarm of dyke varied from 3 to 20m wide. Yim Tin Tsai also contains unconformable contact of Tolo Harbour Formation with volcanic tuff of the Yim Tin Tsai Formation.
- (c) As development may affect the rocky outcrops and geological features of the site, relevant departments including the Planning Department and the Agriculture, Fisheries and Conservation Department should be consulted on any development proposals.
- (d) In view of the conservation value of the area within this zone, permission from the Board is required for diversion of streams, filling and excavation of land that may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment. Grave is not permitted within this zone.

- (e) Notwithstanding, the "SSSI(1)" zone, located on the eastern part of Yim Tin Tsai, forms part of a designated 'burial ground'<sup>2</sup> for indigenous villagers and local fishermen. During the preparation of the DPA Plan, the District Officer/Tai Po (DO/TP) pointed out that the burial grounds were designated by the government and existed for many years, and there would be expectation that areas within the burial ground would continue to be reserved for burying of the eligible deceased indigenous villagers and locally based fishermen upon publication of the DPA Plan. In view of the DO/TP's comments, the Director of Agriculture, Fisheries and Conservation has no objection to put "grave (within burial ground only)" under Column 1 of the proposed "SSSI" zone given that the burial grounds were existing use and the major geological features within the SSSI were found in the coastal areas which fell outside the burial ground boundary. In this regard, grave within the designated burial ground in this sub-zone is always permitted given that the burial ground is an existing use.

#### 4.4.10. Country Park "(CP)" (57.84 ha or 53.58%)

Country Park means a country park or special area as designated under the Country Parks Ordinance (Cap. 208). This zone covers the whole island of Yeung Chau, small island to the northeast of Yim Tin Tsai (except three pockets

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<sup>2</sup> Burial ground means an area outside the gazetted cemeteries in the New Territories designated by the Director of Lands in consultation with the Director of Home Affairs reserved for burying of the indigenous villagers and locally based fishermen.



of “GB” zones) and the whole island of Ma Shi Chau (except parcel of land at Shui Mong Tin and a circular area zoned as “SSSI” on the northeast of Shui Mong Tin). These areas were designated Ma Shi Chau Special Area on 9.4.1999. All uses and developments within Ma Shi Chau Special Area require consent from the Country and Marine Parks Authority and approval from the Board is not required.

## 5. IMPLEMENTATION

### *Infrastructural Provisions*

- 5.1. The Yim Tin Tsai and Ma Shi Chau area are provided with electricity, telephone services and water supply. There are no committed/proposed sewerage and drainage projects planned for the Area.

### *Statutory Development Control*

- 5.2. The OZP provides a broad land-use framework for development control and implementation of planning proposals for the Area. More detailed plans will be prepared as a basis for public works planning and private developments. The type of permitted developments and uses on land within the Area are listed in the Notes of the Plan. All uses directly related and ancillary to the permitted developments and uses are also permitted.
- 5.3. At present, there is no overall programme for the provision of infrastructure within the Area. The implementation process will be gradual and may stretch over a long period of time depending on the availability of resources. It will be undertaken through the participation of both public and private sectors.

- 5.4. Roads, utility services installation and public works projects will be implemented through the Public Works Programme, the Rural Public Works Programme, and Local Public Works Improvement Programme subject to priority and resource availability. Private developments will be effected principally through private sector initiatives in accordance with the zoned uses indicated on the OZP, provided that their proposals meet Government requirements.

- 5.5. Any development, other than those referred to in paragraph 5.2 above or in conformity with this Plan or with the permission of the Board, undertaken or continued on or after 2.9.2011 on land included in a plan of the Yim Tin Tsai and Ma Shi Chau DPA, may be subject to enforcement proceedings under the Ordinance.

## PLANNING DEPARTMENT

JUNE 2014

**Summary of the planning applications in the in**  
**Yim Tin Tsai and Ma Shi Chau**

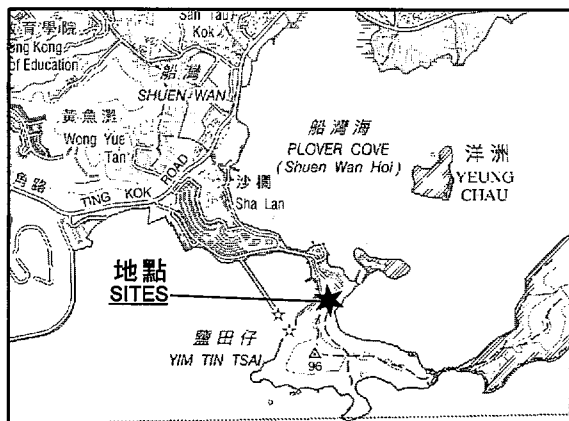
Yim Tin Tsai and Ma Shi Chau (Approved Yim Tin Tsai and Ma Shi Chau Development Permission Area No. DPA/NE-YTT/2)

Application No.	Proposed Development	Date of Consideration	Approval Conditions
A/DPA/NE-YTT/1	Proposed Village Office	25.1.2013	A1
A/DPA/NE-YTT/2	Proposed Village Office cum Community Service Centre	1.3.2013	A1, A2
A/DPA/NE-YTT/3	Proposed Village Office	13.6.2014	A1

**Approval Conditions**

A1. the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB

A2. the submission and implementation of tree preservation proposal to the satisfaction of the Director of Planning or of the TPB



吐露港  
TOLO HARBOUR



### 要覽圖 KEY PLAN

SCALE 1 : 50 000 比例尺

船灣避風塘  
SHUEN WAN TYPHOON SHELTER

三門仔新村的鄉村範圍  
VILLAGE 'ENVIRONS' OF  
SAM MUN TSAI SAN TSUEN

馬屎洲特別地區  
MA SHI CHAU SPECIAL AREA

A/DPA/NE-YTT/1

A/DPA/NE-YTT/3

A/DPA/NE-YTT/2

鹽田仔  
YIM TIN TSAI

SSSI

### 位置圖 LOCATION PLAN

A/DPA/NE-YTT/1, A/DPA/NE-YTT/2  
AND A/DPA/NE-YTT/3

規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
M/TP/14/20

Annex  
I

本摘要圖於2014年5月8日擬備，  
所根據的資料為於2012年9月4日核准的  
發展審批地區圖編號DPA/NE-YTT/2  
EXTRACT PLAN PREPARED ON 8.5.2014  
BASED ON DEVELOPMENT PERMISSION  
AREA PLAN No. DPA/NE-YTT/2  
APPROVED ON 4.9.2012

米 100 0 100 200 米  
METRES

SCALE 1 : 5 000 比例尺



界線只作識別用  
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

### 位置圖 LOCATION PLAN

本摘要圖於2014年5月5日擬備，  
所根據的資料為地圖編號HM50C2\_Sht2  
EXTRACT PLAN PREPARED ON 5.5.2014  
BASED ON SHEET No. HM50C2\_Sht2

SCALE 1 : 50 000 比例尺  
米 500 0 500 1000 1500 2000 2500 米  
METRES

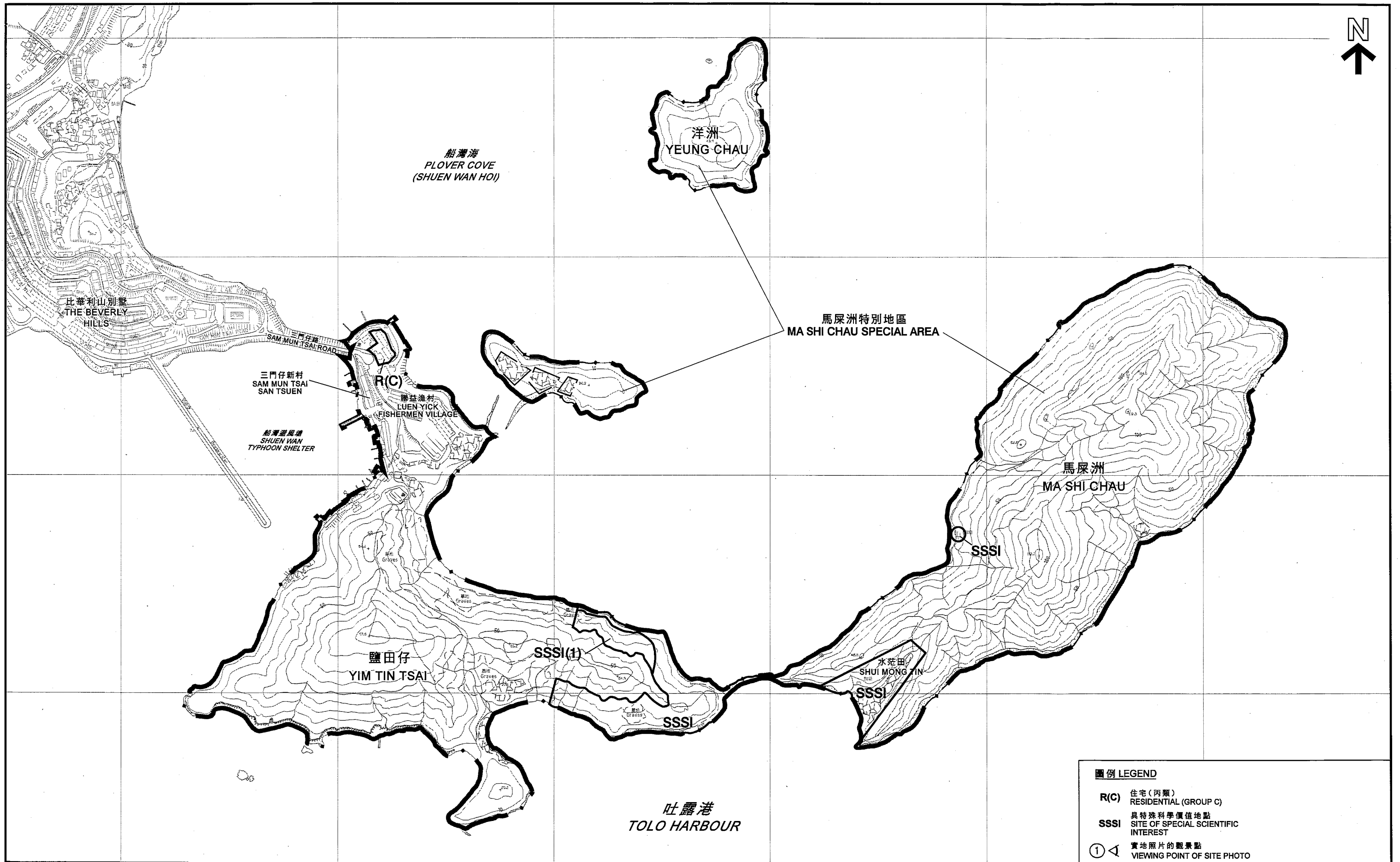
規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
M/NE/13/187

FIGURE  
1





本摘要圖於2014年6月11日擬備，  
所根據的資料為HP5BW編號3-SE-C、D及7-NE-A、B  
EXTRACT PLAN PREPARED ON 11.6.2014  
BASED ON HP5BW SHEETS No. 3-SE-C & D AND 7-NE-A & B

鹽田仔及馬屎洲發展審批地區規劃範圍界線  
PLANNING SCHEME BOUNDARY OF YIM TIN TSAI AND MA SHI CHAU DEVELOPMENT PERMISSION AREA

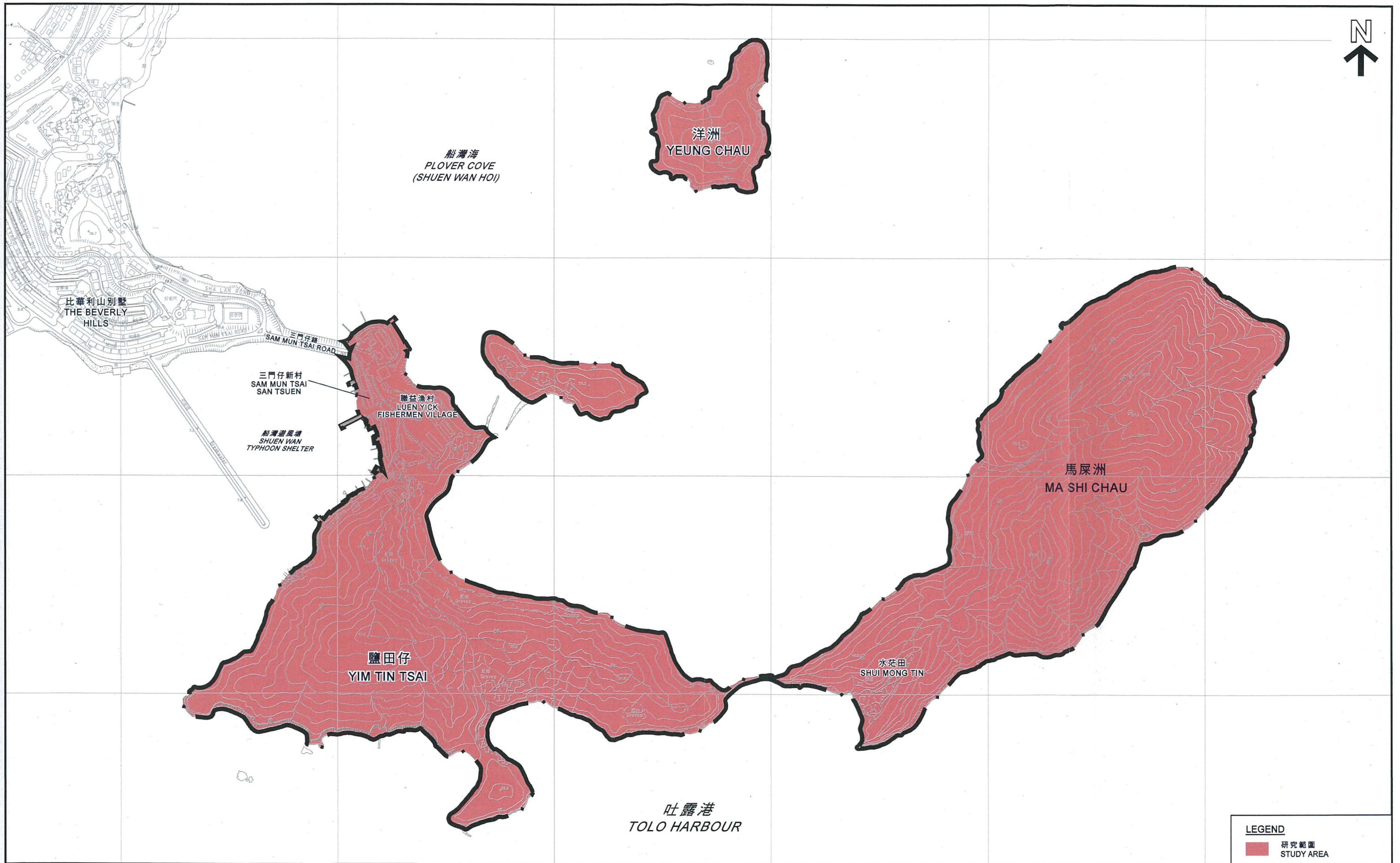
SCALE 1:8 000 比例尺  
米 160 0 160 320 米  
METRES

規劃署  
PLANNING  
DEPARTMENT

參考編號  
REFERENCE No.  
M/NE/13/187



FIGURE  
2



LEGEND  
研究範圍  
STUDY AREA

本摘要圖於2014年6月11日擬備，  
所根據的資料為HP5BW編號3-SE-C、D及7-NE-A、B  
EXTRACT PLAN PREPARED ON 11.6.2014  
BASED ON HP5BW SHEETS No. 3-SE-C & D AND 7-NE-A & B

鹽田仔及馬屎洲分區計劃大綱圖的研究範圍  
STUDY AREA OF YIM TIN TSAI AND MA SHI CHAU OUTLINE ZONING PLAN

米 160 0 160 320 米  
METRES SCALE 1 : 8 000 比例尺 METRES

規劃署  
PLANNING  
DEPARTMENT

參考編號  
REFERENCE No.  
M/NE/13/187



FIGURE  
3





LEGEND  
研究範圍  
STUDY AREA

本摘要圖於2014年6月11日擬備，  
所根據的資料為地政總署  
於2013年1月7日拍得的航攝照片編號CW101210  
EXTRACT PLAN PREPARED ON 11.6.2014  
BASED ON AERIAL PHOTO No. CW101210  
TAKEN ON 7.1.2013 BY LANDS DEPARTMENT

航攝照片  
AERIAL PHOTO

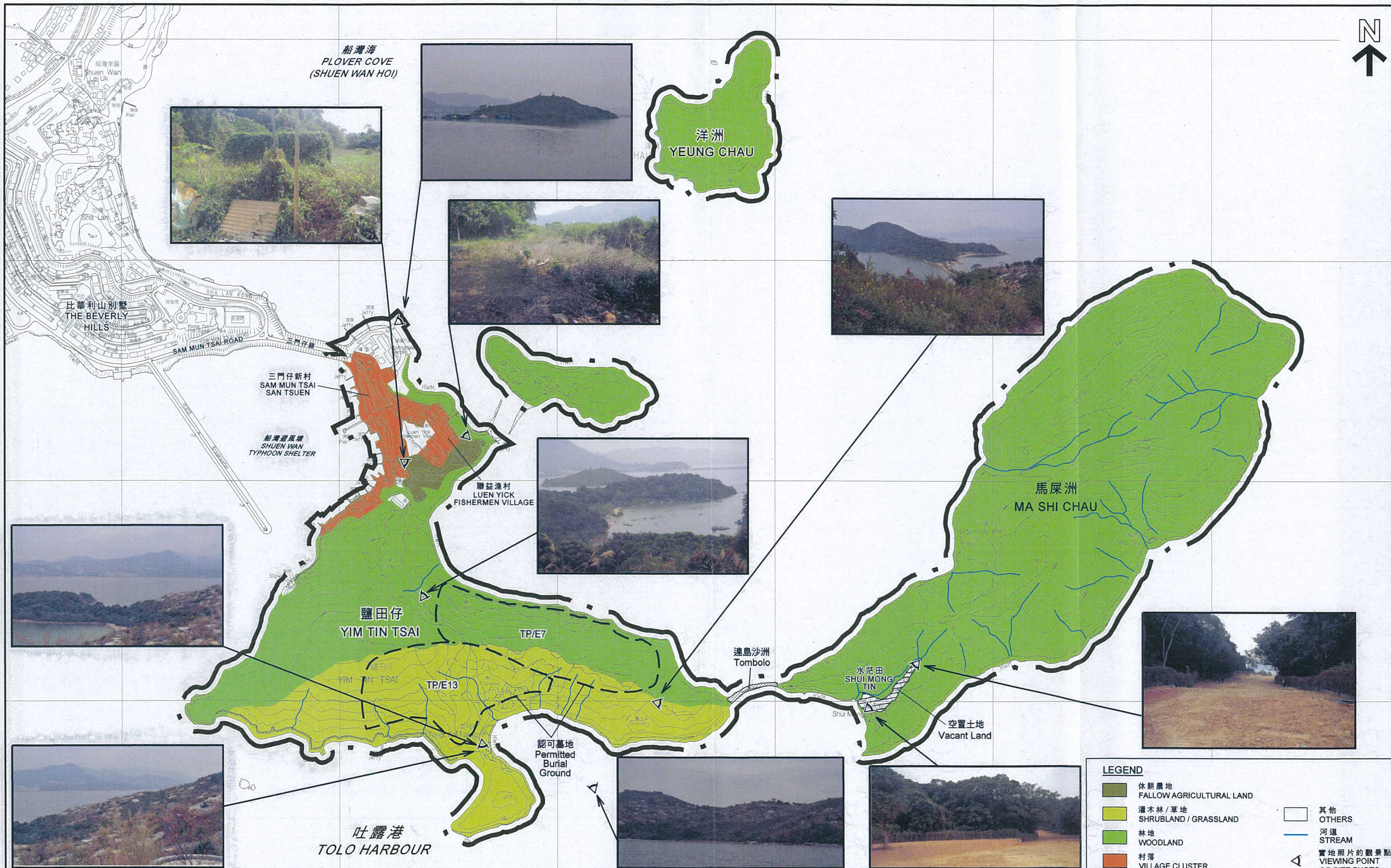
規劃署  
PLANNING  
DEPARTMENT

參考編號  
REFERENCE No.  
M/NE/13/187



FIGURE  
4





現有的地貌特色 EXISTING PHYSICAL FEATURES

鹽田仔及馬屎洲  
YIM TIN TSAI AND MA SHI CHAU

SCALE 1 : 8 000 比例尺  
METRES 160 0 160 320 METRES

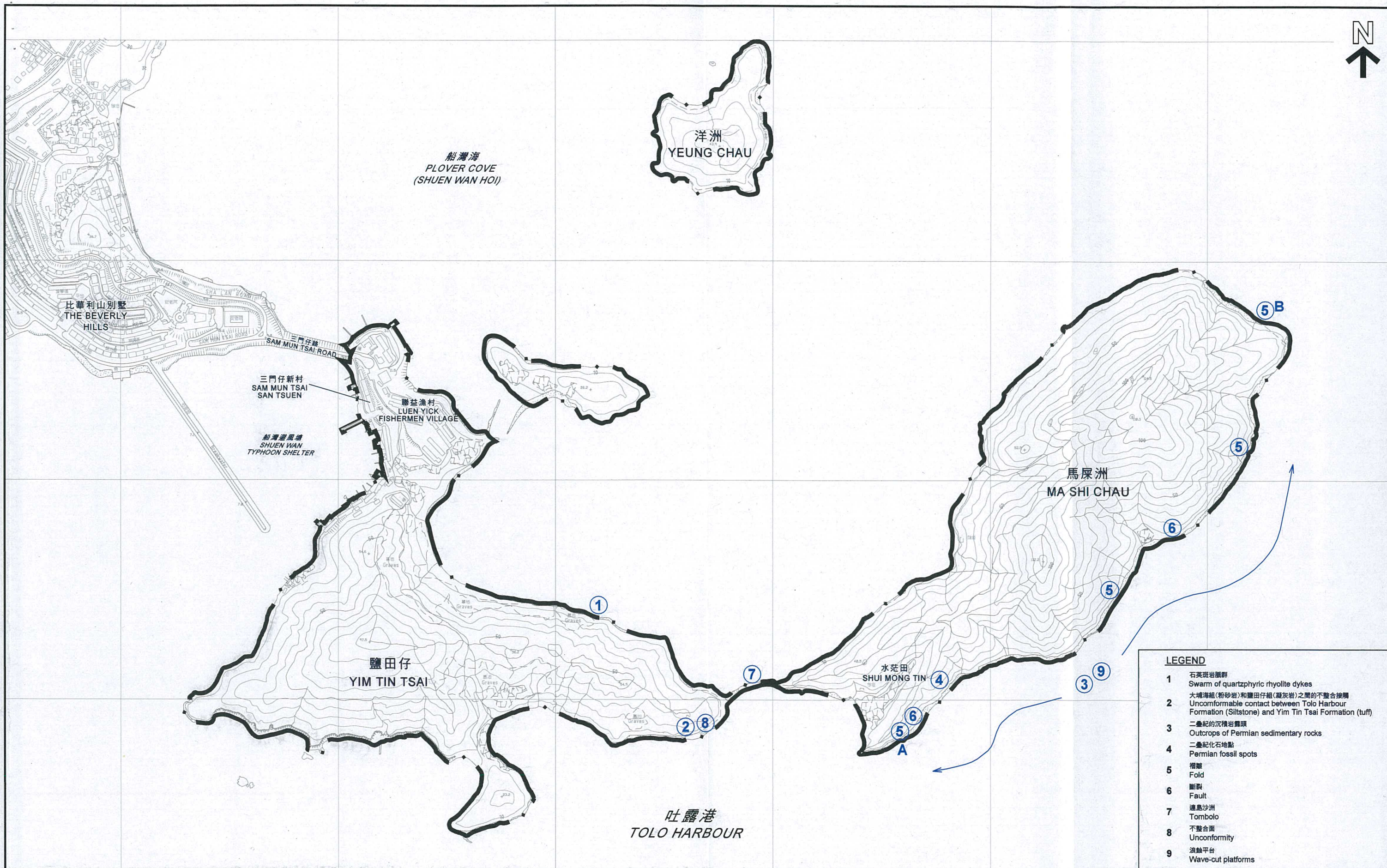
本摘要圖於2014年6月18日擬備，  
所根據的資料為HP5BW編號3-SE-C、D及7-NE-A、B  
EXTRACT PLAN PREPARED ON 18.6.2014  
BASED ON HP5BW SHEETS No. 3-SE-C & D AND 7-NE-A & B

規劃署  
PLANNING  
DEPARTMENT

參考編號  
REFERENCE No.  
M/NE/13/187

FIGURE  
5a





本摘要圖於2014年6月16日擬備，  
所根據的資料為HP5BW編號3-SE-C、D及7-NE-A、B  
EXTRACT PLAN PREPARED ON 16.6.2014  
BASED ON HP5BW SHEETS No. 3-SE-C & D AND 7-NE-A & B

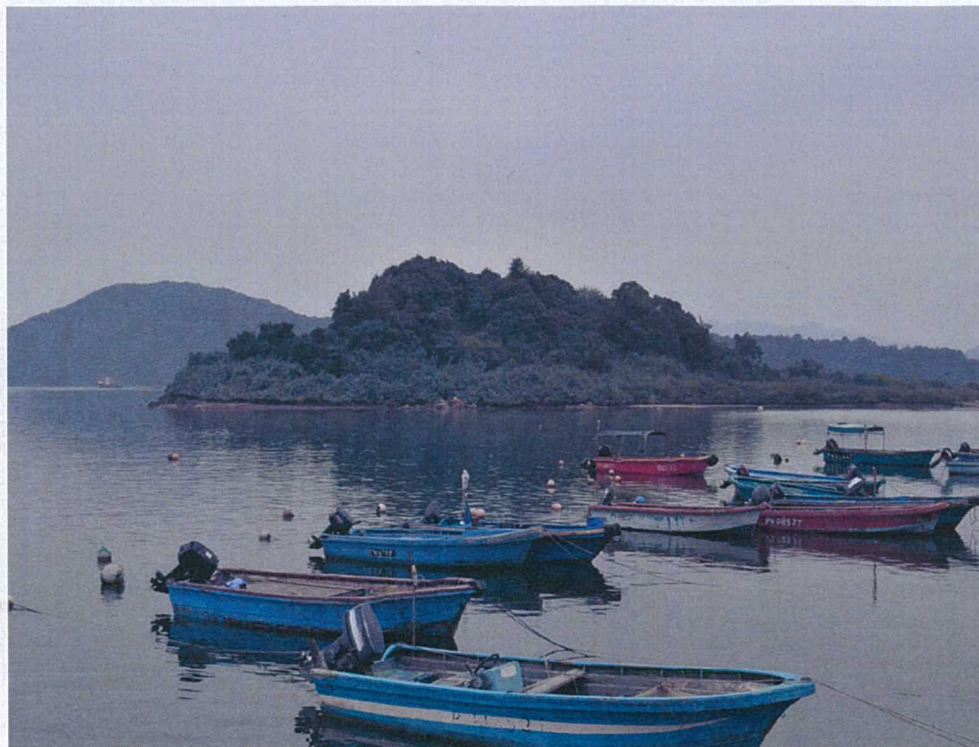




馬屎洲特別地區  
Ma Shi Chau Special Area



鹽田仔沿岸淺灘  
Shore Along Yim Tin Tsai

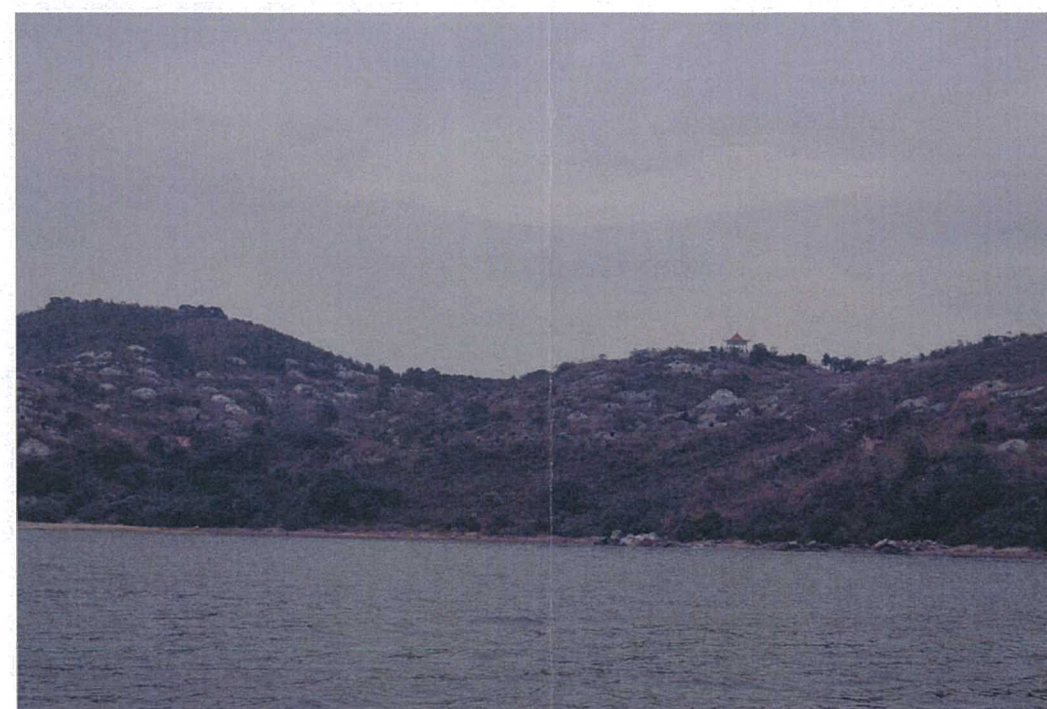
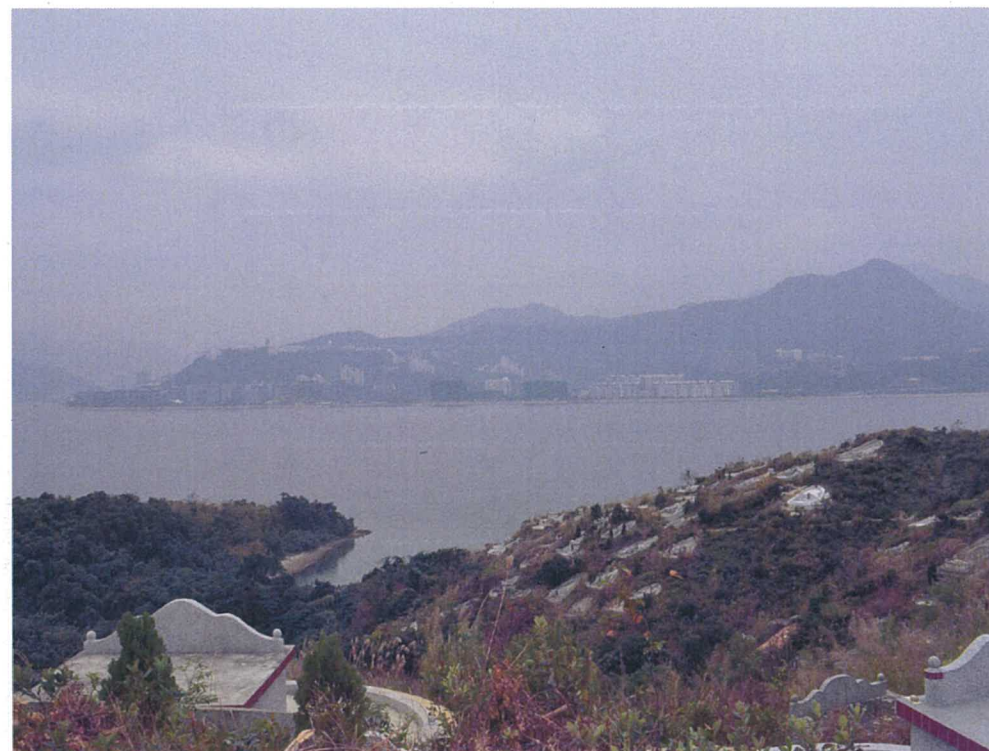


鹽田仔東北面小島  
Small Island to the NE of Yim Tin Tsai



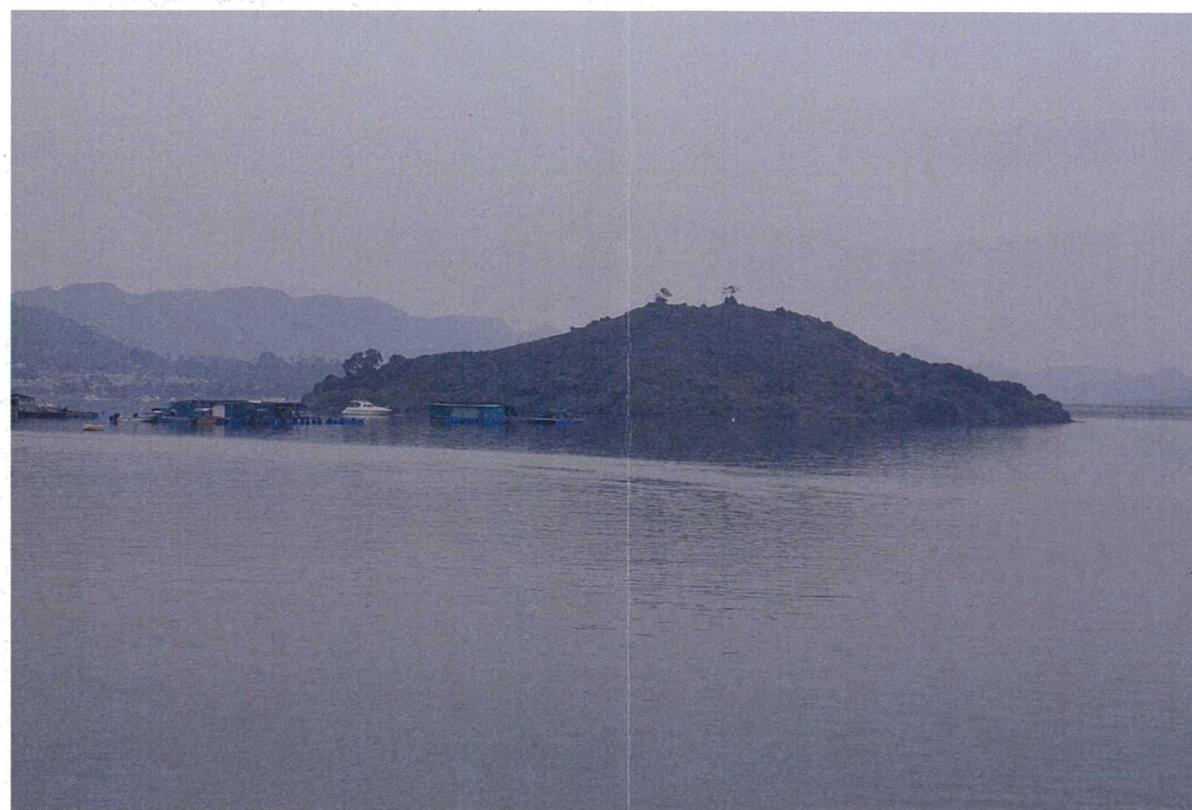
鹽田仔東北面小島  
Small Island to the NE of Yim Tin Tsai



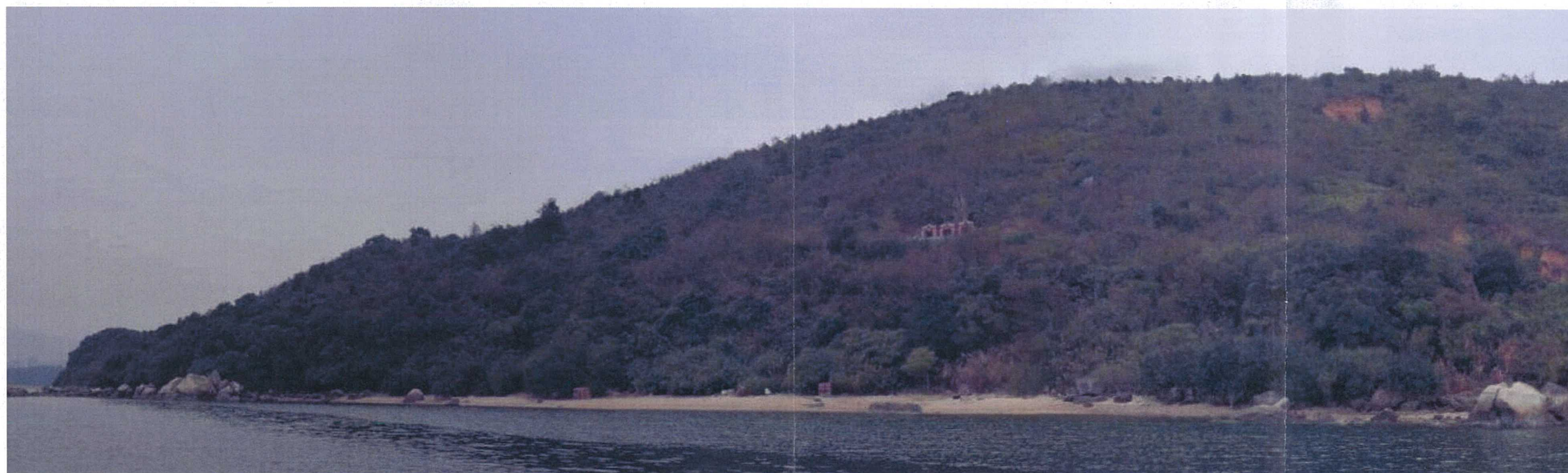


墳墓/認可墓地  
GRAVES / PERMITTED BURIAL GROUNDS



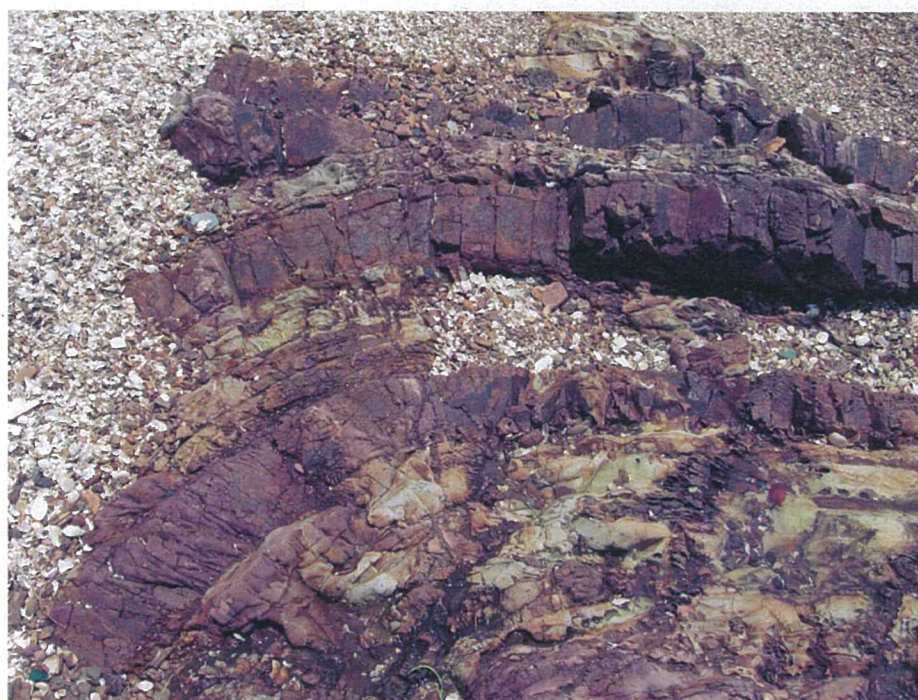


洋洲  
Yeung Chau

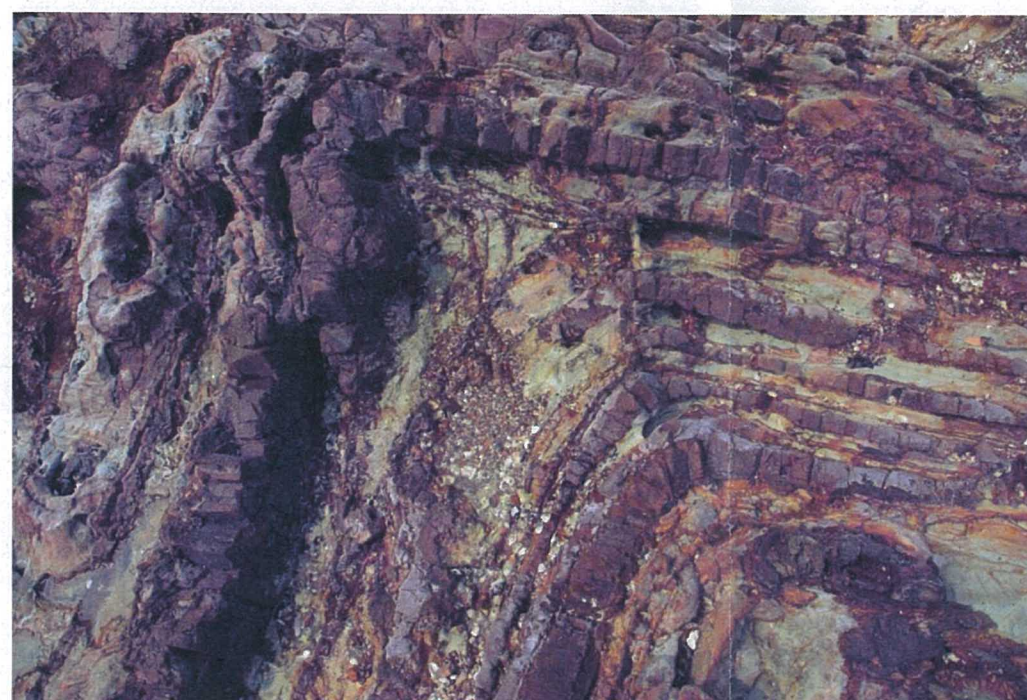


鹽田仔西南面沿岸淺灘  
SW Shore of Yim Tin Tsai





褶皺  
Fold



褶皺  
Fold





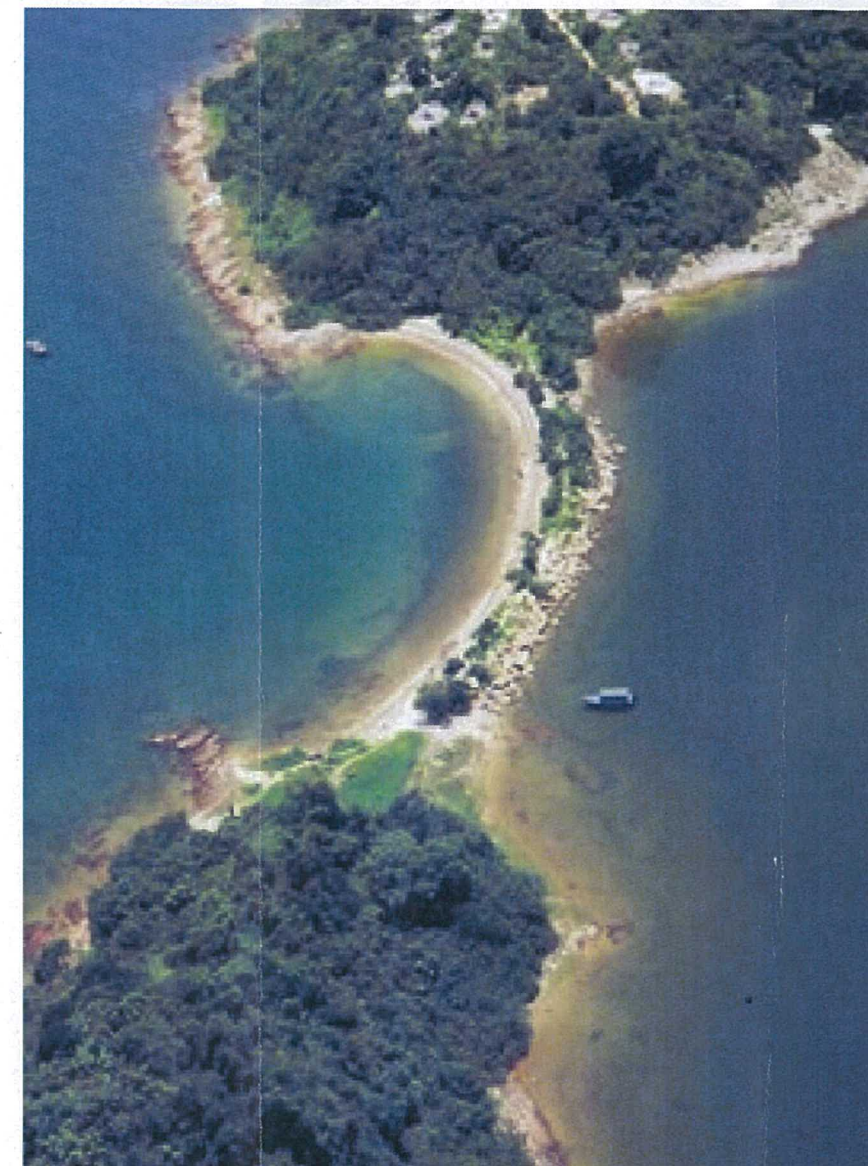
褶皺

Fold (Figure 5b - Location 5A)



褶皺

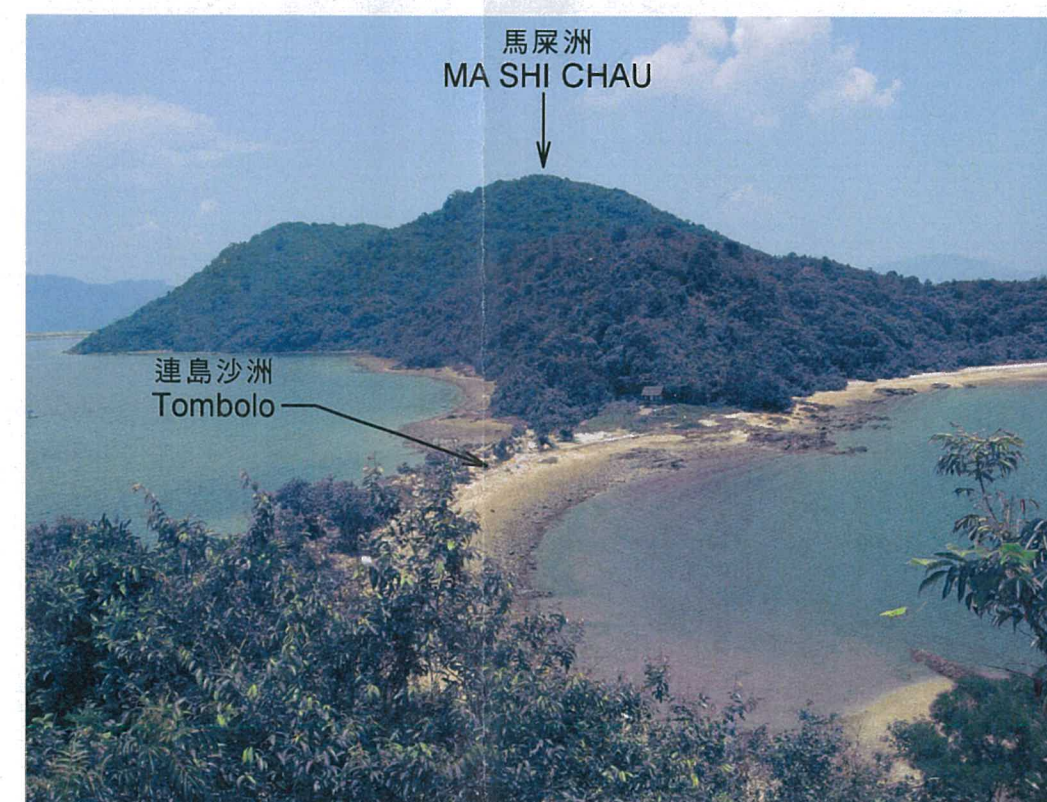
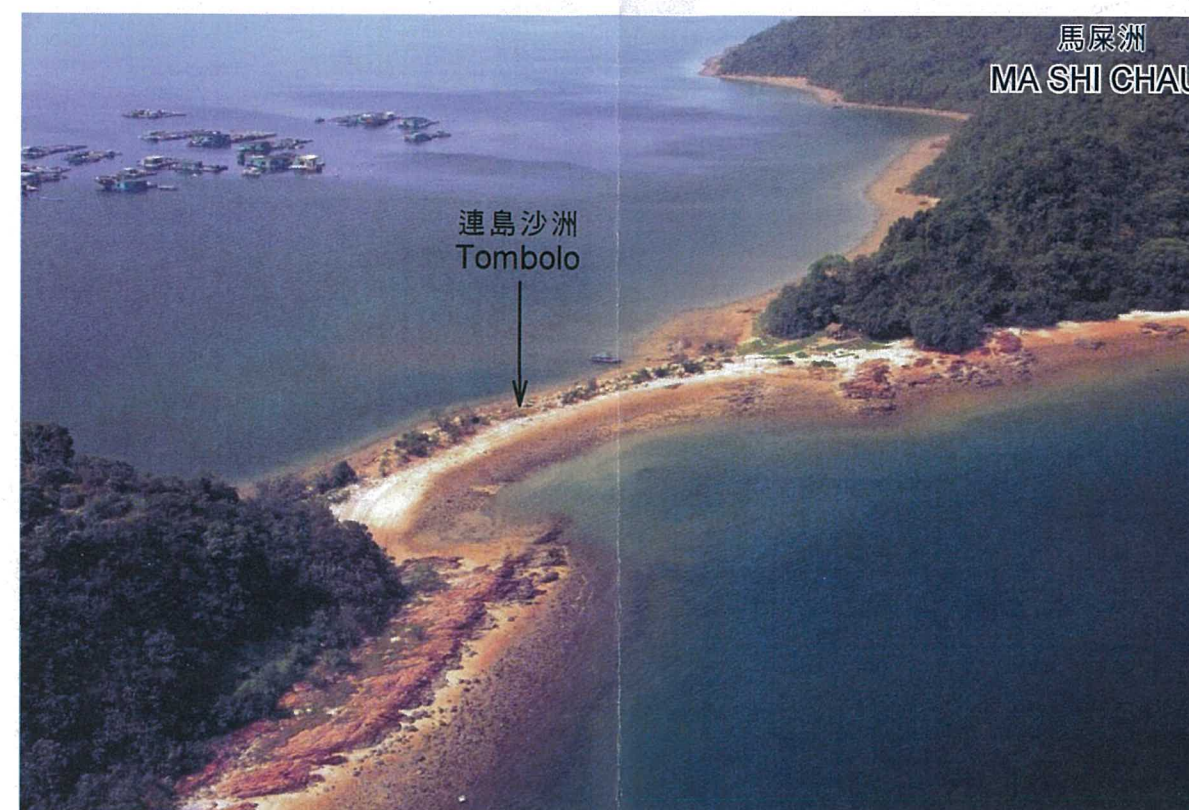
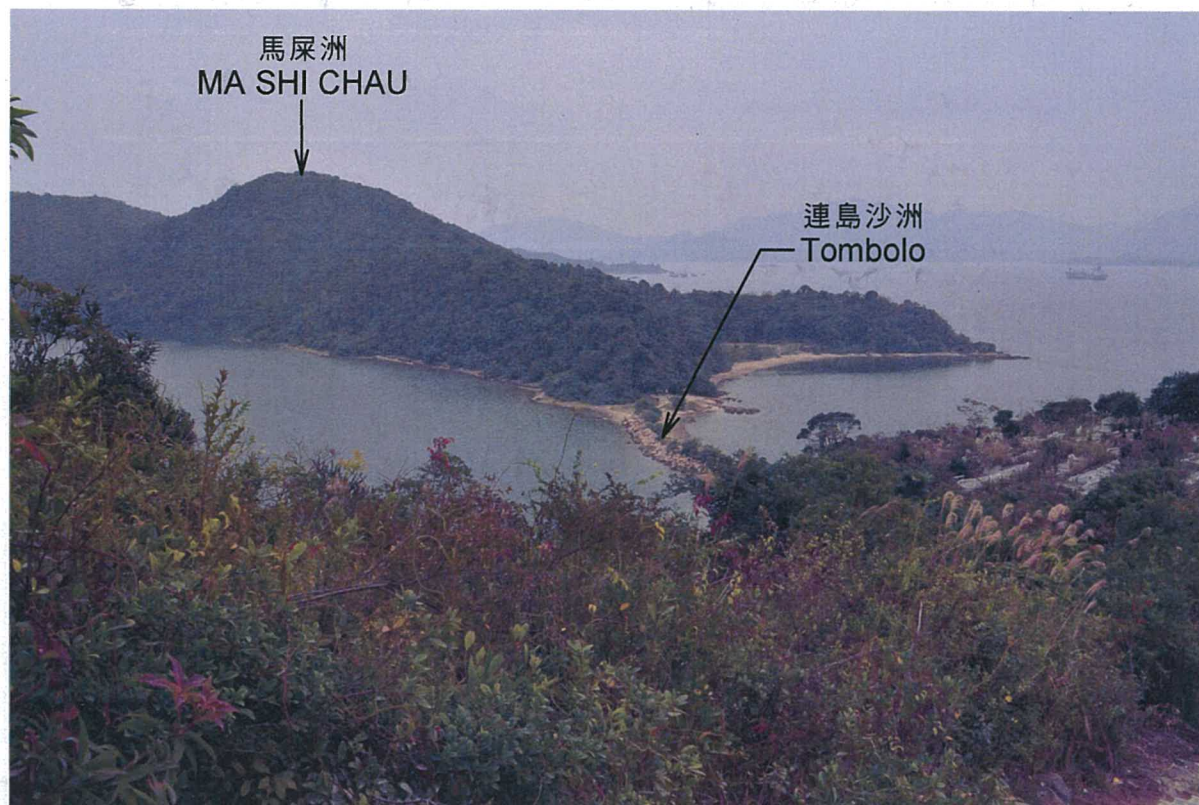
Fold (Figure 5b - Location 5B)



連島沙洲

Tombolo (Figure 5b - Location 7)





連接鹽田仔及馬屎洲的連島沙洲  
TOMBOLO CONNECTING YIM TIN TSAI AND MA SHI CHAU (Figure 5b - Location 7)

本摘要圖於2014年6月18日擬備  
EXTRACT PLAN PREPARED ON 18.6.2014

現有的地貌特色及地質特點照片  
PHOTOS OF EXISTING PHYSICAL AND GEOLOGICAL FEATURES

規劃署  
PLANNING  
DEPARTMENT

參考編號  
REFERENCE No.  
M/NE/13/187

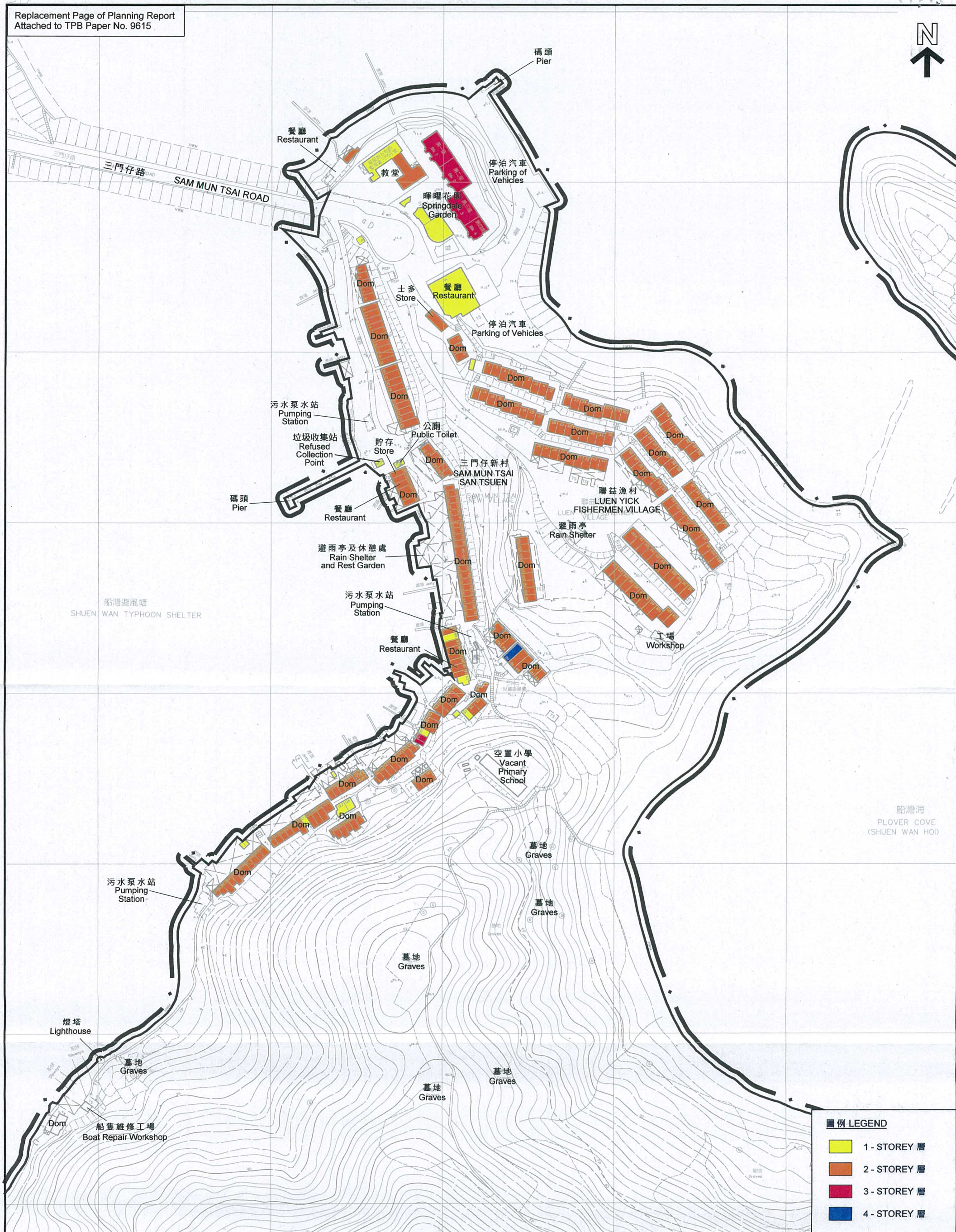


FIGURE  
5c-6









本摘要圖於2014年6月20日擬備，所根據的資料為測量圖編號7-NE-2D及7B  
EXTRACT PLAN PREPARED ON 20.6.2014  
BASED ON SURVEY SHEETS No.  
7-NE-2D & 7B

### 建築物高度概況 BUILDING HEIGHT PROFILE

米 40 0 40 80 米  
SCALE 1:2 000 比例尺  
METRES

規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
M/NE/13/187

FIGURE  
6b





暉曜花園  
SPRINGDALE GARDEN



住宅發展  
RESIDENTIAL DEVELOPMENT



食肆  
EATING PLACE



實地照片  
SITE PHOTOS





政府、機構或社區 - 泵站  
GOVERNMENT, INSTITUTION OR COMMUNITY - PUMPING STATION

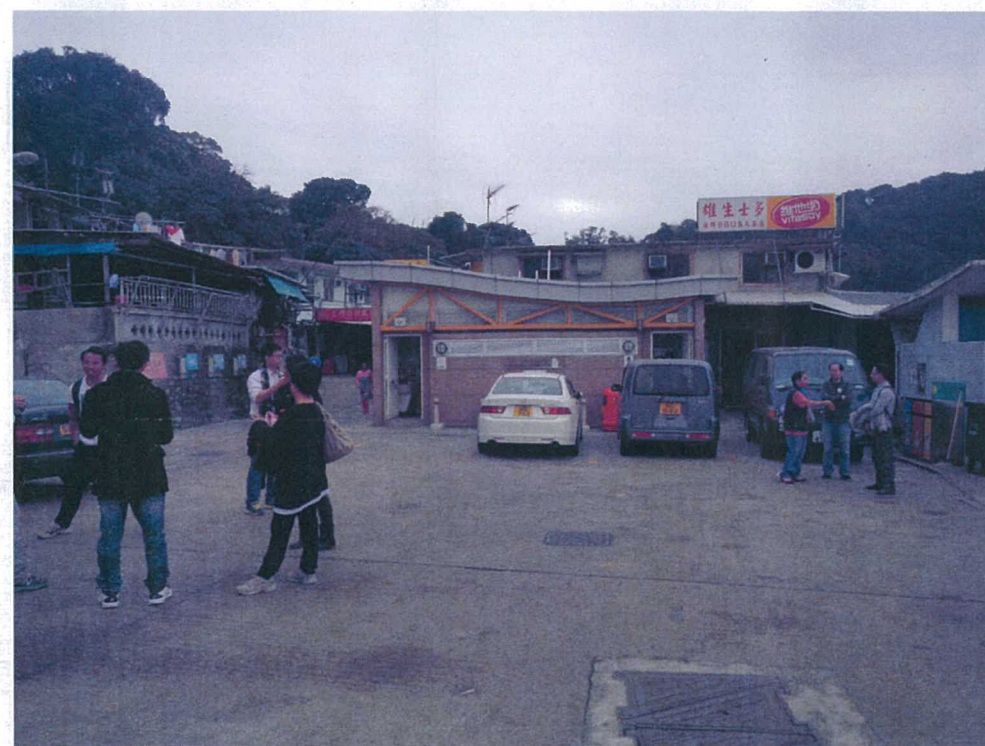




三門仔新村垃圾收集站  
Refuse Collection Point at Sam Mun Tsai New Village



三門仔新村垃圾收集站  
Refuse Collection Point at Sam Mun Tsai New Village



公廁  
Public Toilet



教堂  
Church

政府、機構或社區  
GOVERNMENT, INSTITUTION OR COMMUNITY





聯益漁村避雨亭  
Rain Shelter at Luen Yick Fishermen Village



三門仔兒童遊樂場  
Sam Mun Tsai Children Playground

休憩空間  
OPEN SPACE





位於鹽田仔北邊的碼頭  
Pier at the Northern Tip of Yim Tin Tsai



位於船灣避風塘的碼頭  
Pier at Shuen Wan Typhoon Shelter

碼頭  
PIER

實地照片  
SITE PHOTOS

本摘要圖於2014年6月11日擬備  
EXTRACT PLAN PREPARED ON 11.6.2014

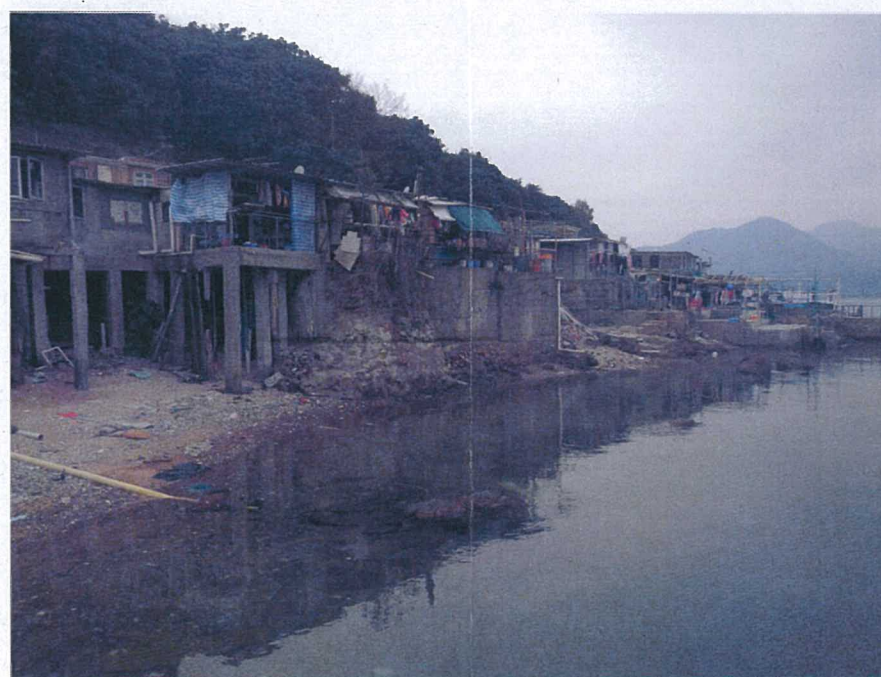
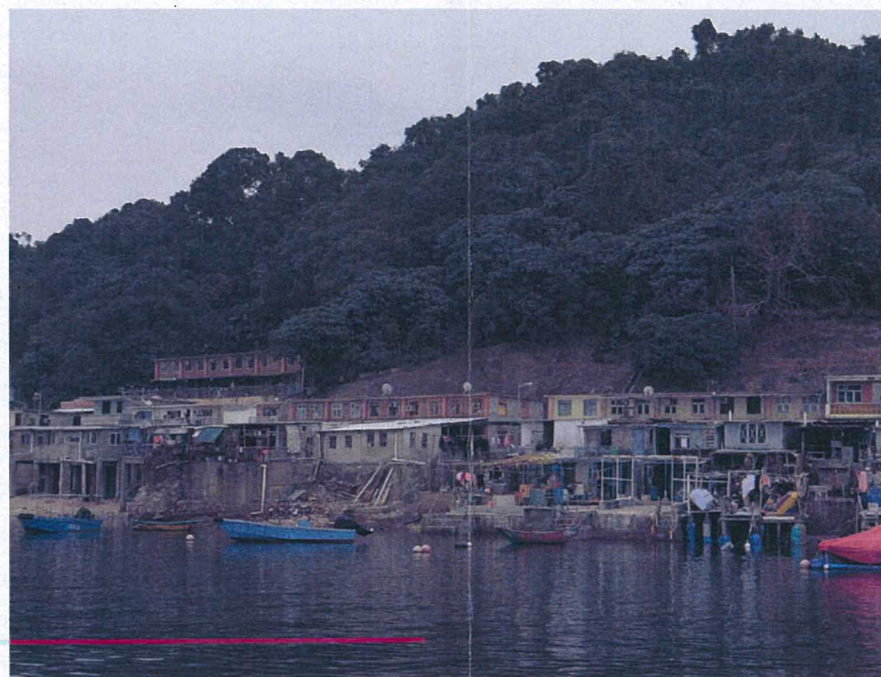
規劃署  
PLANNING  
DEPARTMENT

參考編號  
REFERENCE No.  
M/NE/13/187



FIGURE  
6c-5





三門仔新村臨時構築物  
TEMPORARY STRUCTURES AT SAM MUN TSAI SAN TSUEN

本摘要圖於2014年6月11日擬備  
EXTRACT PLAN PREPARED ON 11.6.2014

實地照片  
SITE PHOTOS

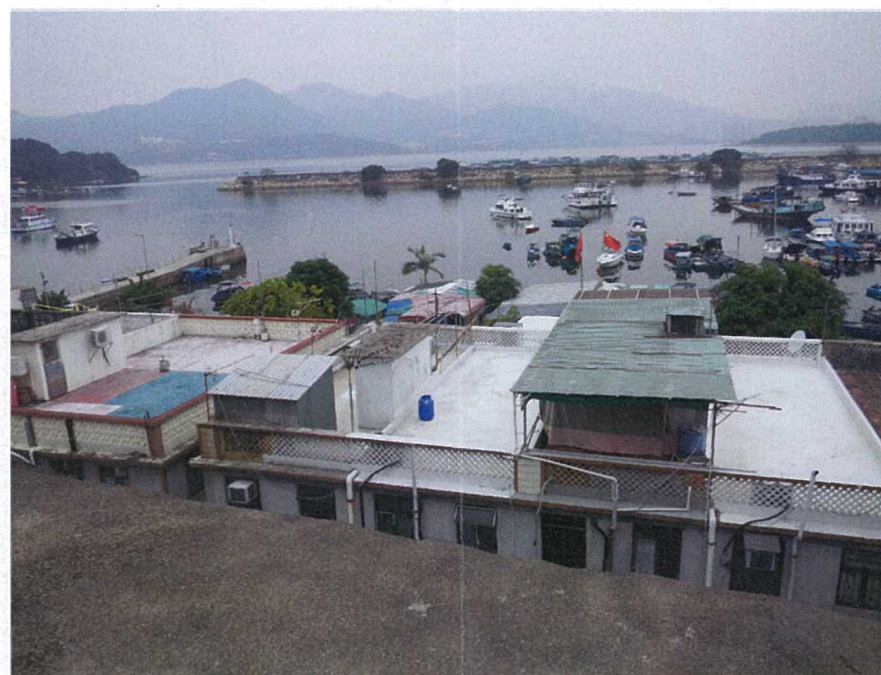
規劃署  
PLANNING  
DEPARTMENT

參考編號  
REFERENCE No.  
M/NE/13/187



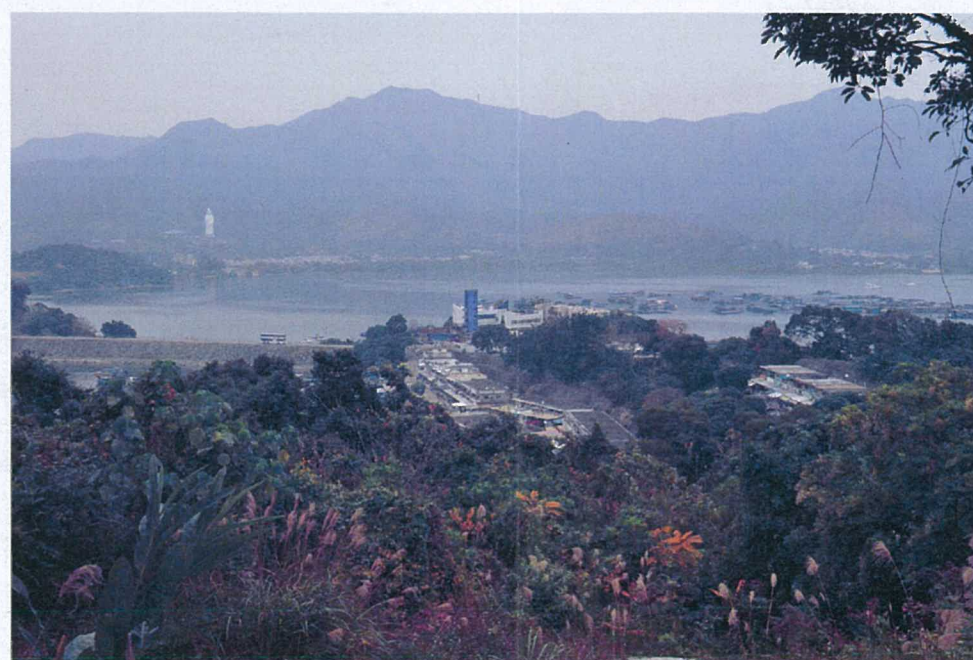
FIGURE  
6c-6





三門仔新村的臨時構築物、平房及村屋  
TEMPORARY STRUCTURES, TENEMENT BUILDINGS AND VILLAGE HOUSES  
AT SAM MUN TSAI SAN TSUEN





三門仔新村的平房  
TENEMENT BUILDINGS AT SAM MUN TSAI SAN TSUEN





聯益漁村的平房  
TENEMENT BUILDINGS AT LUEN YICK FISHERMEN VILLAGE





工場  
WORKSHOP

實地照片  
SITE PHOTOS

本摘要圖於2014年6月11日擬備  
EXTRACT PLAN PREPARED ON 11.6.2014

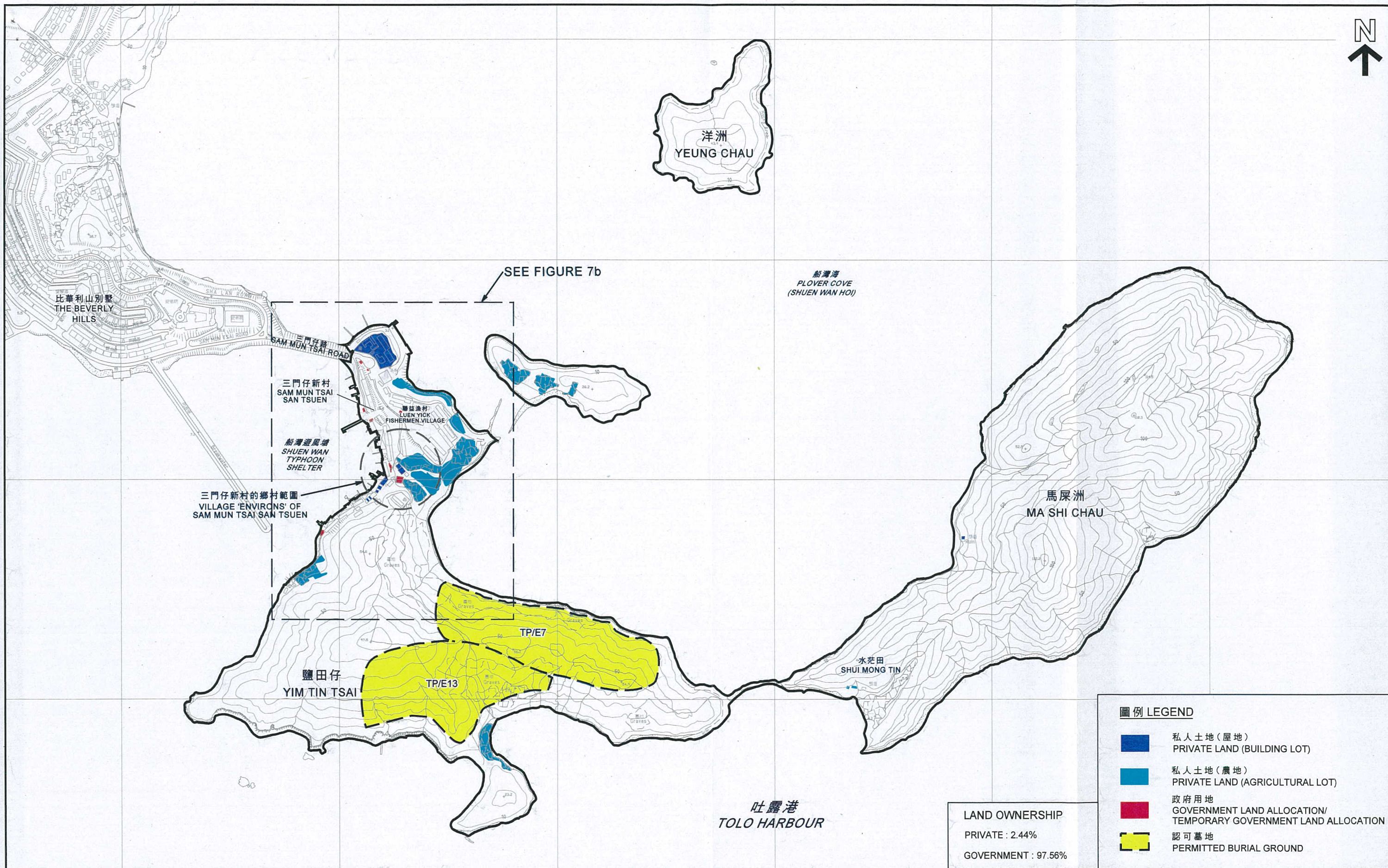
規劃署  
PLANNING  
DEPARTMENT

參考編號  
REFERENCE No.  
M/NE/13/187



FIGURE  
6c-10





本摘要圖於2014年6月18日擬備，  
所根據的資料為HP5BW編號3-SE-C、D及7-NE-A、B  
EXTRACT PLAN PREPARED ON 18.6.2014  
BASED ON HP5BW SHEETS No. 3-SE-C & D AND 7-NE-A & B

土地業權及鄉村範圍  
LAND OWNERSHIP AND VILLAGE 'ENVIRONS'

米 160 0 160 320 米  
METRES SCALE 1 : 8 000 比例尺

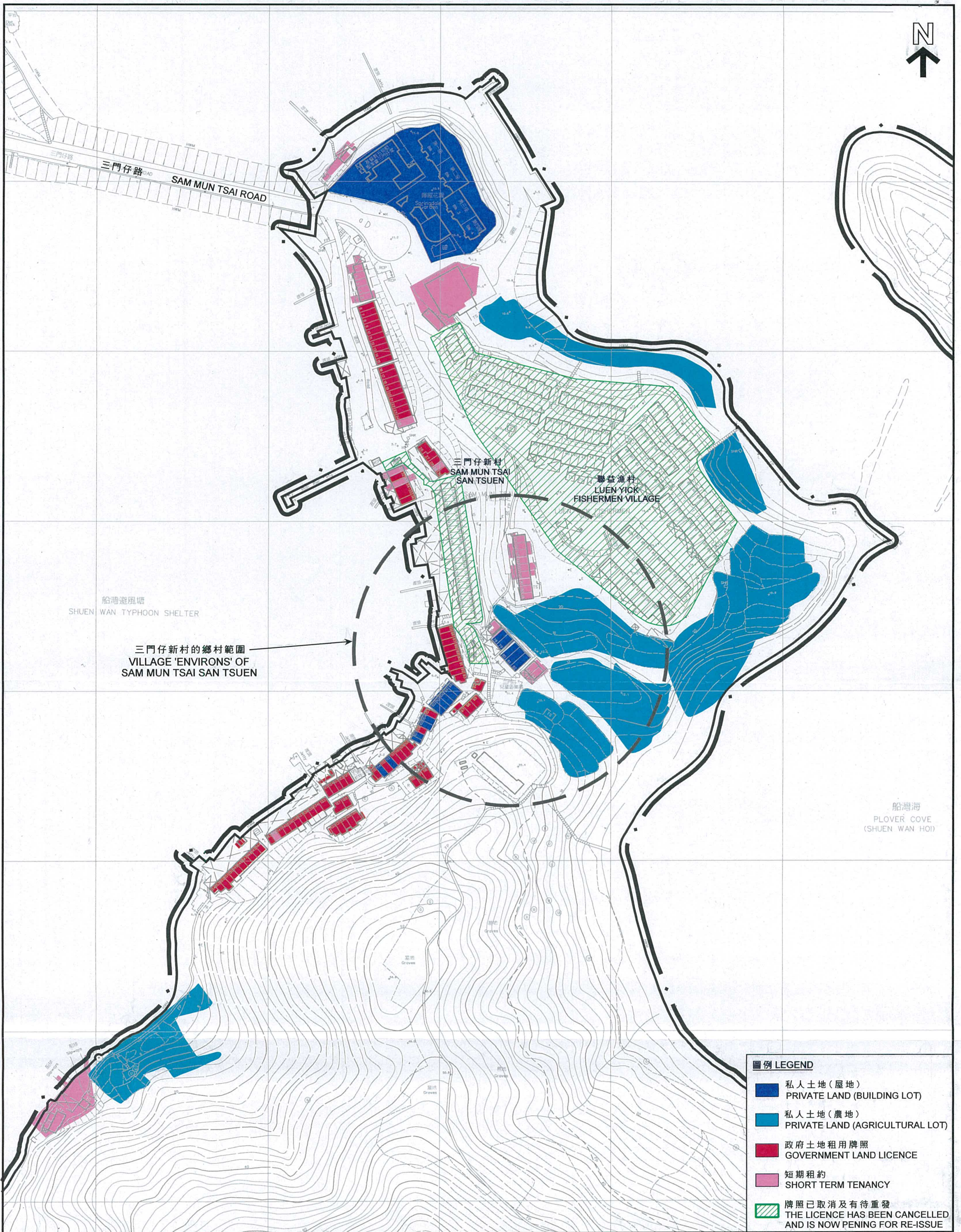
規劃署  
PLANNING  
DEPARTMENT

參考編號  
REFERENCE No.  
M/NE//13/187



FIGURE  
7a





圖例 LEGEND

- 私人土地 (屋地)  
PRIVATE LAND (BUILDING LOT)
- 私人土地 (農地)  
PRIVATE LAND (AGRICULTURAL LOT)
- 政府土地租用牌照  
GOVERNMENT LAND LICENCE
- 短期租約  
SHORT TERM TENANCY
- 牌照已取消及有待重發  
THE LICENCE HAS BEEN CANCELLED  
AND IS NOW PENING FOR RE-ISSUE

本摘要圖於2014年6月18日擬備，所根據的資料為測量圖編號7-NE-2D及7B  
EXTRACT PLAN PREPARED ON 18.6.2014  
BASED ON SURVEY SHEETS No.  
7-NE-2D & 7B

鹽田仔北部的土地業權及鄉村範圍  
VILLAGE 'ENVIRONS' AND LAND STATUS OF  
NORTHERN PORTION OF YIM TIN TSAI

米 40 0 40 80 米  
METRES SCALE 1 : 2 000 比例尺

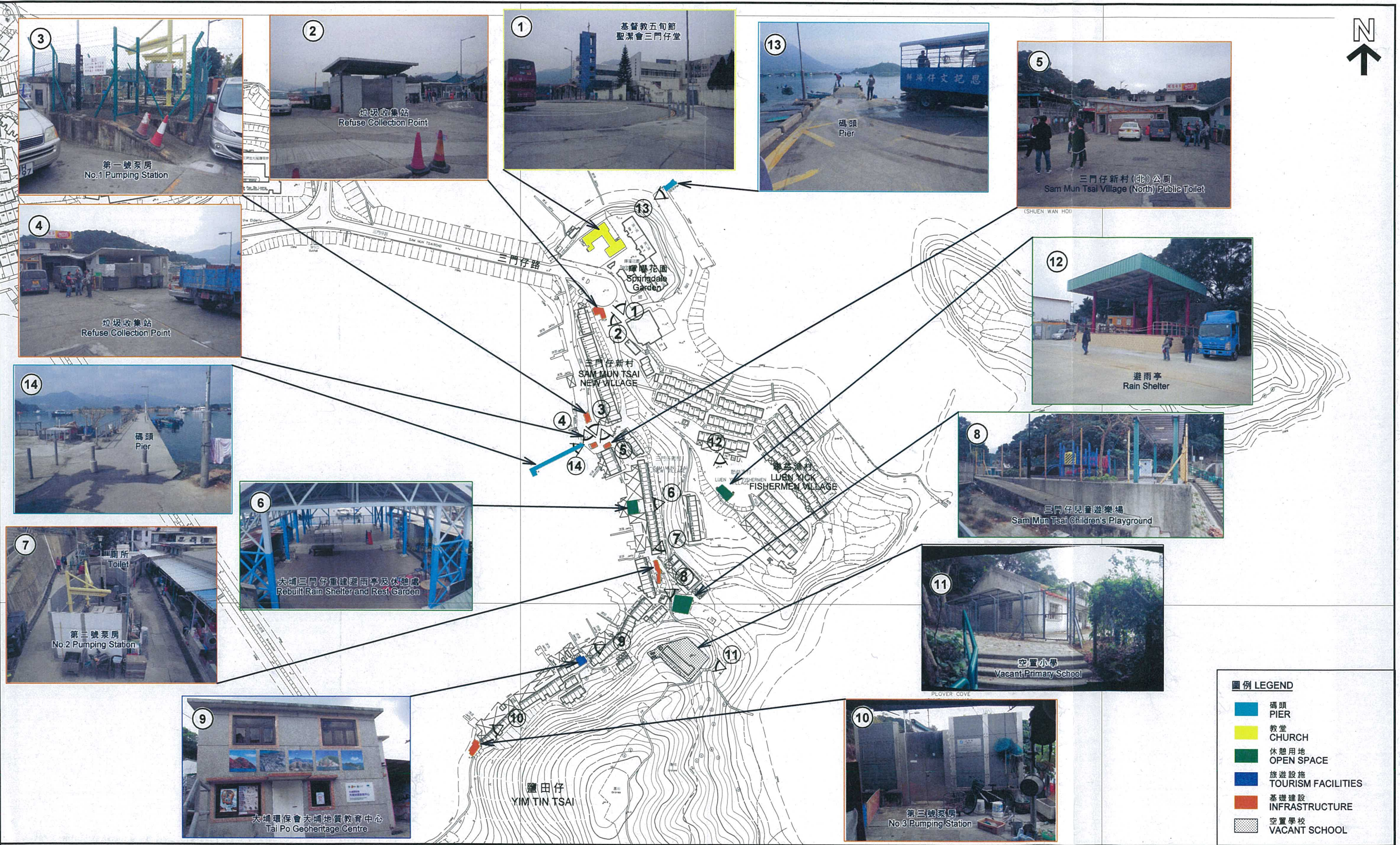
規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
M/NE/13/187

FIGURE  
7b





圖例 LEGEND

- ① 實地照片的觀景點  
VIEWING POINT OF SITE PHOTO

本摘要圖於2014年6月11日擬備，所根據的資料為測量圖編號7-NE-2A、2B、2C、2D和3C及攝於2014年1月9日的實地照片  
EXTRACT PLAN PREPARED ON 11.6.2014 BASED ON SURVEY SHEETS No. 7-NE-2A, 2B, 2C, 2D & 3C AND SITE PHOTOS TAKEN ON 9.1.2014

實地照片 SITE PHOTOS

三門仔現有的政府、機構或社區，基建及旅遊相關設施  
EXISTING GIC, INFRASTRUCTURE AND RELATED TOURISM FACILITIES IN SAM MUN TSAI

米 60 0 60 120 米  
METRES SCALE 1:3,000 比例尺

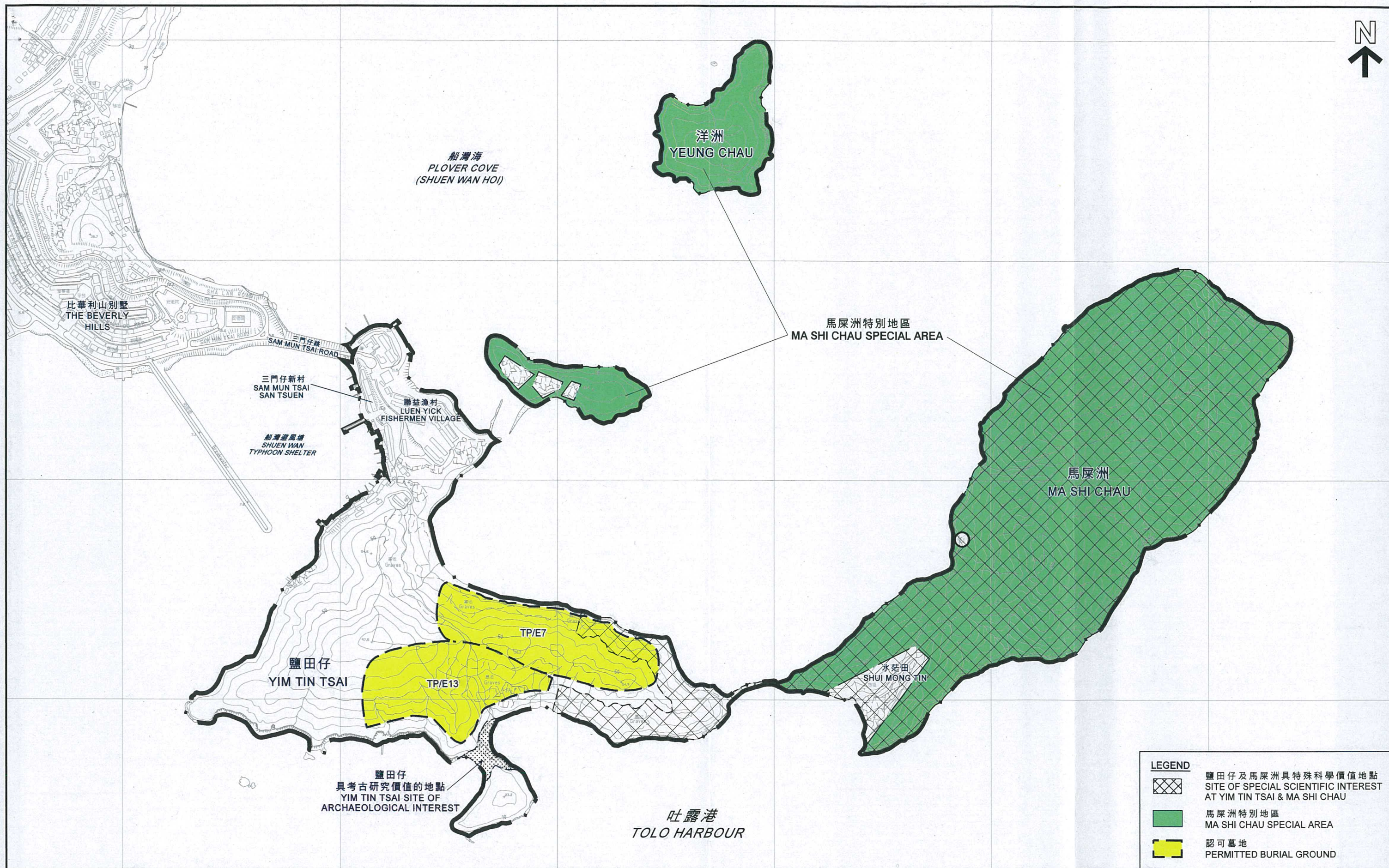
規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
M/NE/13/187

FIGURE  
8





本摘要圖於2014年6月11日擬備，  
所根據的資料為HP5BW編號3-SE-C、D及7-NE-A、B  
EXTRACT PLAN PREPARED ON 11.6.2014  
BASED ON HP5BW SHEETS No. 3-SE-C & D AND 7-NE-A & B

生態及文化傳承資源  
ECOLOGICAL AND CULTURAL HERITAGE RESOURCES

米 160 0 160 320 米  
METRES SCALE 1 : 8 000 比例尺

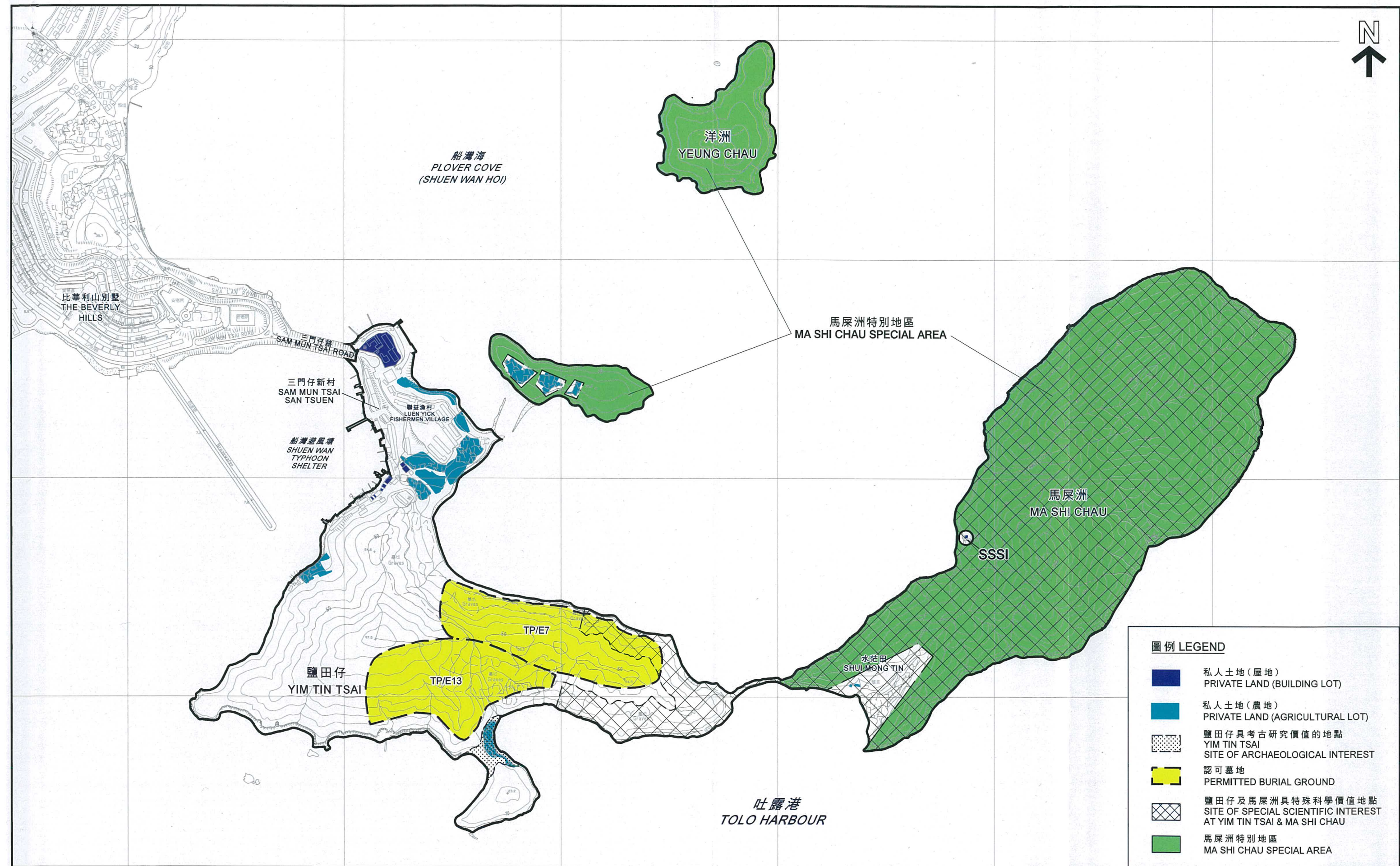
規劃署  
PLANNING  
DEPARTMENT

參考編號  
REFERENCE No.  
M/NE/13/187



FIGURE  
9





圖例 LEGEND

- 私人土地 (屋地)  
PRIVATE LAND (BUILDING LOT)
- 私人土地 (農地)  
PRIVATE LAND (AGRICULTURAL LOT)
- 鹽田仔具考古研究價值的地點  
YIM TIN TSAI  
SITE OF ARCHAEOLOGICAL INTEREST
- 認可墓地  
PERMITTED BURIAL GROUND
- 鹽田仔及馬屎洲具特殊科學價值地點  
SITE OF SPECIAL SCIENTIFIC INTEREST  
AT YIM TIN TSAI & MA SHI CHAU
- 馬屎洲特別地區  
MA SHI CHAU SPECIAL AREA

本摘要圖於2014年6月11日擬備，  
所根據的資料為HP5BW編號3-SE-C、D及7-NE-A、B  
EXTRACT PLAN PREPARED ON 11.6.2014  
BASED ON HP5BW SHEETS No. 3-SE-C & D AND 7-NE-A & B

發展限制  
DEVELOPMENT CONSTRAINTS

SCALE 1 : 8 000 比例尺  
米 160 0 160 320 米  
METRES

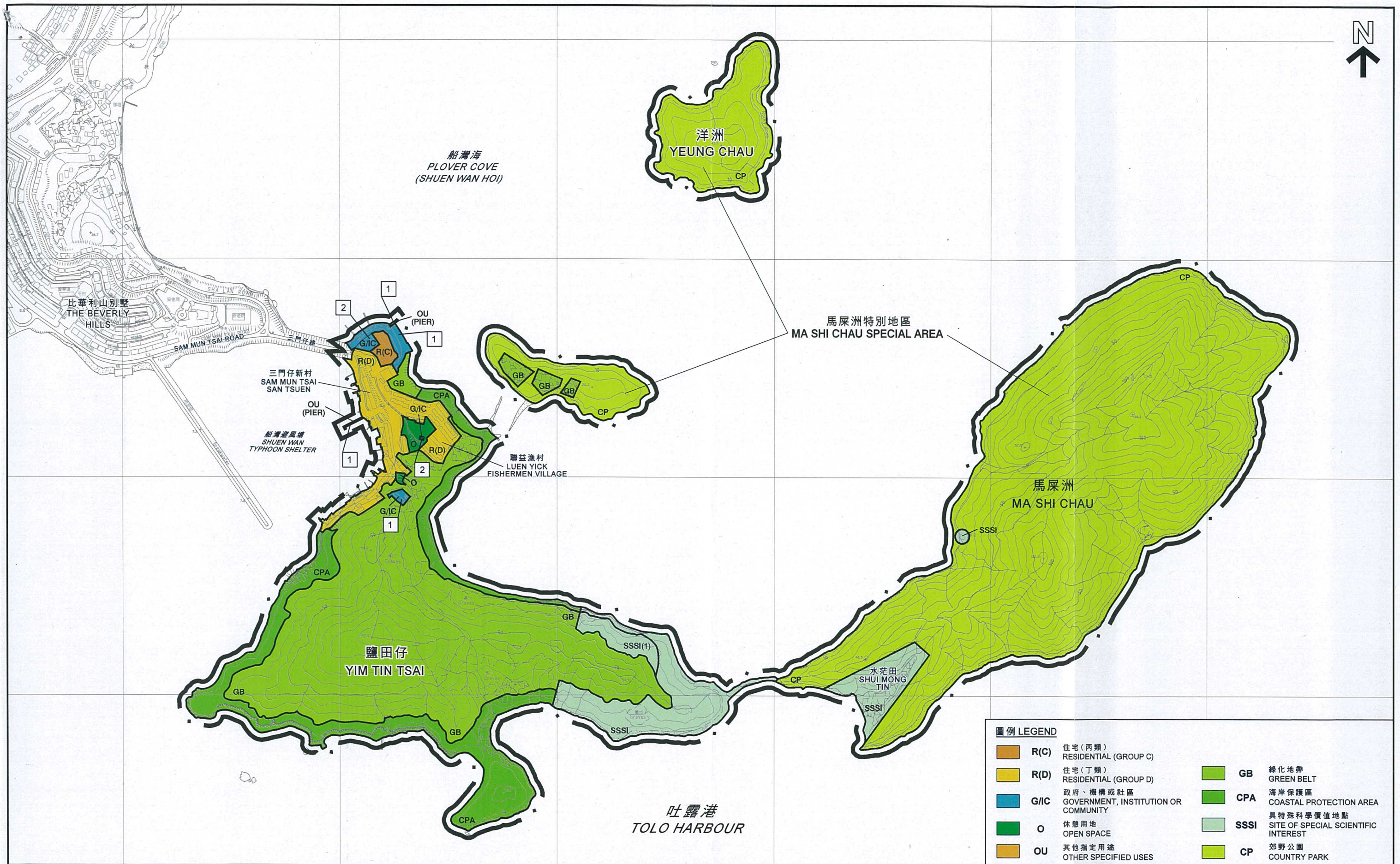
規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
M/NE/13/187

FIGURE  
10





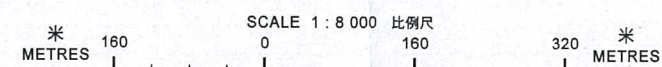
圖例 LEGEND

	R(C)	住宅(丙類) RESIDENTIAL (GROUP C)		GB	綠化地帶 GREEN BELT
	R(D)	住宅(丁類) RESIDENTIAL (GROUP D)		CPA	海岸保護區 COASTAL PROTECTION AREA
	G/I/C	政府、機構或社區 GOVERNMENT, INSTITUTION OR COMMUNITY		SSSI	具特殊科學價值地點 SITE OF SPECIAL SCIENTIFIC INTEREST
	O	休憩用地 OPEN SPACE		CP	郊野公園 COUNTRY PARK
	OU	其他指定用途 OTHER SPECIFIED USES			

本摘要圖於2014年6月11日擬備，  
所根據的資料為HP5BW編號3-SE-C、D及7-NE-A、B  
EXTRACT PLAN PREPARED ON 11.6.2014  
BASED ON HP5BW SHEETS No. 3-SE-C & D AND 7-NE-A & B

PROPOSED LAND USE

鹽田仔及馬屎洲  
YIM TIN TSAI AND MA SHI CHAU



規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
M/NE/13/187

FIGURE  
11